

SOUTHCENTRAL ALASKA SUBSISTENCE REGIONAL  
ADVISORY COUNCIL PUBLIC MEETING

**VOLUME II**

October 8, 1996  
Caribou Cafe  
Glennallen, Alaska

**COUNCIL MEMBERS PRESENT:**

Mr. Roy S. Ewan, Chair, Chairman  
Mr. Gilbert Dementi, Sr.  
Mr. Donald Kompkoff, Sr.  
Mr. Benjamin E. Romig  
Mr. Gary V. Oskolkoff  
Mr. Fred John, Jr.  
Mr. Ralph Lohse

**P R O C E E D I N G S**

(On record - 8:30 a.m.)

MR. LOHSE: We'll call the October 8th, 1996, meeting of the Southcentral Alaska Subsistence Regional Advisory Council to order. And the first item of business that we're going to have this morning after an announcement which I just got that says a van marked near the loading dock, CV263 needs to be moved. If anybody owns that van, it needs to be moved. If nobody here owns that van we can forget the whole thing.

Okay. First item of business is we've moved up two items from the October 9th meeting. We moved up the I, cooperative agreement for the Southcentral Region. And I think we'll take that first. That's the Ninilchik Cooperative Agreement. Helga, can you tell us where we'll find that in our folder so everybody can get it real quick?

MS. EAKON: That was something new and it was passed out to you last night as a handout.

MR. LOHSE: Okay. That's one of the handouts then?

MS. EAKON: Yes. It is one of the handouts.

And that, I guess, is being presented by Bruce Greenwood.

MR. GREENWOOD: Yes, sir.

MS. EAKON: On your agenda this would be 9I. It's a one page document.....

MR. LOHSE: Uh-hum.

MS. EAKON: I'm sorry. It's a two page document. Did everybody find it?

MR. LOHSE: Has everybody found it. It looks kind of like this right here.

MR. GREENWOOD: Mr. Chair, Council, I'm Bruce Greenwood with the National Park Service, however at this meeting I'm representing Fish & Wildlife Service in the place of Rachel Mason, an anthropologist who is unable to attend.

What we have here is a cooperative agreement that would be between Fish & Wildlife Service and ADF&G for study, a harvest study of Ninilchik. What we're asking you to do with this is one, to inform you about it, two, to ask for your comment and, hopefully, get your support for us to proceed with this study and cooperative agreement.

As you're all well aware the last three years we've spent a lot of time working on Kenai Peninsula C&T particularly in Ninilchik. We have six backlog C&T proposals, three of which are by Ninilchik Tribal Council - Traditional Council, excuse me. And what we do the most recent study we have of Ninilchik is 1982. And it's very outdated and what this study would do would update that study, and the final result would be most likely a 1996 study that had the most current information in it.

We would also if we had the financing available would be to complete studies of Moose Pass, Seward, Nikiski, Soldotna and Sterling. Those communities also do not have any studies or have a study as old as this one.

Presently we really can't proceed with an RFR that the State has submitted which is for moose in Unit 15(A) and (B), nor can we proceed with these other requests, these other backlog requests for C&T proposals because the information that we've got is old, we've used it all, it's been presented to you and the Board and essentially we have no new information. This would allow us to proceed with those studies or those analyses and, hopefully, be able to complete the backlog requests and go on to the other C&T requests we have on Kenai Peninsula. If you have any questions, yes?

MR. LOHSE: Are you just informing us or seeking our approval for it or support for it or what?

MR. GREENWOOD: What we'd like is we'd like your comment on it and also your support. And if you would do it in the form

of a motion we would appreciate that also.

MR. LOHSE: Do I hear a motion of support for it?

Hearing none,.....

MR. ROMIG: Well, Ralph, I'd like to.....

MR. LOHSE: Would you all like more time to look at it?

MR. ROMIG: .....Gary, they've done some studies down there that are helping you guys or is this a help to people in Ninilchik?

MR. OSKOLKOFF: Well, there's a couple of questions that come to mind with regard to this study and what's been done previously. But, we have had a study performed, the latest one as was mentioned by the BIA, by the Traditional Council through the BIA grant essentially to do that. That \_- in doing that which I worked pretty hard on myself, I found that there were some inadequacies in the original method of conducting the research. And I'm wondering if those are going to be addressed, if there are going to be changes made to how those questions are addressed and what size of map there is in those various other questions that have been asked, and if so would that still leave a comparable to the other studies in the area that you have from previously?

MR. GREENWOOD; I'll do the best I can to answer that question. The exact design of the study has not been put together, but the methods that were used in 1980 when ADF&G first began doing their subsistence use studies, surveys, the ones we're doing at the present day are much more refined and more accurate and somewhat different than the old \_- the other studies. So I would anticipate or assume that they would be very good studies and they would be comparable to other community studies that have been done the last couple of years. I think your questions and concerns regarding the type of questions asked would be very well appreciate by this staff so we can relay that to the researches at ADF&G when they're going the study. And the question you had \_- I believe you had a question regarding the comparison between the BIA study and this study and the difference between those two studies?

MR. OSKOLKOFF: Well, actually you're going to incorporate new comments and perhaps a new way of asking questions. I find that in the polls that I've taken, for instance, of the tribe that we can get two different responses, of course, many different responses depending on how we ask the question. If you ask the question differently to answer our concerns with regard to how the question was asked originally, is that data then comparable with previous data or with other study datas from other areas?

MR. GREENWOOD: Not having intimate knowledge of the exact study procedures I would be unable to really give you a definite answer on that, but I do realize that if the studies that we'd be doing now are not comparable to the ones, for example, that were done in 1992, '93 on Kenai, Nanwalek in '93, '92, Port Graham 92, 93, Seldovia 92, 93, that it wouldn't really give us information that we want.

The intention is, and I believe it's even mentioned in the narrative that the studies that are to be done on Ninilchik we would be able to draw a comparison between Ninilchik and those communities, so I would assume that they're very similar in nature to the point that they can be \_- we can draw some accurate conclusions from that.

MR. OSKOLKOFF: That would be my only reason concern with the study is that, first of all, we be able to use the data and be able to get the facts out that we've been talking about, be able to extrapolate that from the data that we get and yet be able to use it in a comparative fashion so that people aren't finger pointing saying, well, you can't use this particular data or this particular point. I want to lower the threshold of margin that's on this, I guess, or \_- excuse me, raise the threshold of margin on this so that it's a little more difficult to cross that line.

MR. GREENWOOD: Yeah I believe that would be our intention also. And that's one advantage to having ADF&G do it, it's more of a neutral body versus having a tribal organization, BIA do a study or Fish & Wildlife to do a study. There's less polarity if we would ADF&G do a study with their methods. And we have used in all the C&T's analyses and the decisions made by the board in the last couple of years relied quite heavily on harvest survey information that has been obtained by ADF&G.

But again, if you have specific concerns about the questions being asked I know Rachel Mason and the people that have designed the study would be more than happy to have your concerns and address your concerns. And you ask questions that you feel would be most appropriate to be asked/

MR. OSKOLKOFF: Could I ask why is it that the State of Alaska would be doing this as opposed to the Federal government?

MR. GREENWOOD: Well, I think one reason it's more of a neutral body, and number tow, ADF&G has done harvest surveys and user surveys since the early '80s. And even though we have some fine professionals, professional anthropologists in Fish & Wildlife Service we feel the background that ADF&G has in doing this \_- they're the experts let put it that way, they're the experts in doing this kind of work and we feel best by having them do it.

MR. JOHN: I kind have a feeling that they're an expert, but being a neutral body I would think that's very, very appropriate to save (ph) for the State of Alaska. I think they're more (indiscernible) sport hunters instead of subsistence. And I kind of wish these could be \_- I, myself, I want a neutral body probably to be like contracted out or something. I have a hard time thinking the State would be so neutral on this.

MR. GREENWOOD: Maybe I'll clarify it by the State. It would be the Subsistence Division of ADF&G is who would be doing the work. And there wouldn't be any politics involved in that. They'd be using their study methods and their interview and research methods. Any work that they would do for us would be to our standards and our approval on it. And there wouldn't be any politics involved in it, it would be simply designing the study, having researchers out in the field asking questions which the people that are doing that have done it for several years. Jim Fall is an anthropologist that would be in charge of that part of the study. And Charles Utermohle would also be in charge of the statistical analysis. And it would be outside of a political arena that you normally deal with the State. I think that might address your concerns.

MR. OSKOLKOFF: Mr. Chairman, if I could sit on that note and maybe dovetail onto what Brad (ph) has said on a more general

topic, I've had some concern for awhile with regard to how this Council get its information. And that is we don't seem to be \_- we don't have a staff essentially to go out and get this information for us with our particular viewpoint in mind. We have to rely on other staffs. I think it's very difficult in this day and age to say that things can be done clear of politics. And I'm concerned as Fred is that we have a well perceive neutral body doing this type of work, that not only is it neutral in your opinion or even in our opinion, but that the people who are being surveyed view this as somebody they can sit down and talk to and their points will be taken in consideration and gotten across.

I think in the Native community, at least in my area, I can't speak for the entire Native community, there seems to be already a general distrust of government in general and we go on for a long time with regard to the history of that, but I won't. And I think that when it comes to the State of Alaska on subsistence although the group who is doing the study may be \_- I think the perception of the community may be very difficult to change and you may not get the same type of responses or the same people responding. And I just feel that it would be a little more reluctant in this particular case. And I don't think that's what we want. And I think if there's a way that we can avoid that, we might want to look into alternatives in order to do that.

MR. GREENWOOD: It's my understanding, maybe this is our perception versus other folks but, you know, we had thought that the Subsistence Division at ADF&G had good rapport with the community members. And maybe what you're relaying to us is maybe the rapport is not as good as we think it is. And that would be of.....

MR. OSKOLKOFF: I want to make sure and clear that I'm not speaking of any particular division. I'm talking of a general mistrust. And when it comes to Fish & Game, if you will, in general being the \_- from what most people see in, let's take Ninilchik for example, we see the enforcement end of it. It's difficult to imagine that they would have, perhaps, the same level of trust that they would have had, perhaps, with a traditional council or an unattached, if you will, third-part contractor or something like that doing some of this work, but I want to make that more of a general comment, too. I think that we've been held back to a certain extent by our lack of understanding of what we can get done

as a Council and what we can ask for and what type of budgets are available and whatnot. And I think that perhaps in a more general sense it would be nice to work some of that information out and make sure we're fully aware of what we can do.

MR. ROMIG: I guess my only concern would be, you know, if there was a study in '82 and, you know, that there's a need for another study, I'd hate to see them wait too long. And possibly a lot of the, you know, old people that are in the community won't even be around, you know, in the years to come when they do do a study, so I guess my only concern is, is, you know, the lack of \_- you know, would be the timing, if you wait too long there won't be any of the old families left.

MR. GREENWOOD: I believe the study would be \_- would be initiated this year. I'm not sure when the completion date would be, however. I would imagine within a year.

(Whispered conversation)

MR. GREENWOOD: Did they decide when they would begin to initiate the study if we would proceed with it?

MS. MEEHAN: This year.

MR. GREENWOOD: This year at what time?

MS. MEEHAN: Don't know, but it would have to start this year.

MR. LOHSE: Bruce?

MR. GREENWOOD: Yes.

MR. LOHSE: Will this study go forward with or without our concurrence?

MR. GREENWOOD: I'll look to Rosa on that to respond.

MS. MEEHAN: Rosa Meehan, Fish & Wildlife Service, Office of Subsistence Management. This is a study that as Bruce has said, we feel \_- we can see a need for the information. And so we've



started looking into how we could gather this information and came up with this approach that we think would get us to the end point which is having, you know, information for Ninilchik similar to the other communities so that comparative discussions can take place. We're not \_- this is not locked in concrete by any means. And if there are serious concerns about it we certainly could look for other approaches. We have taken an initial look at it and feel that this is an approach that would work to get us to the end point where we want to be, but we certainly want to take any concerns that you all as a Council have very seriously into consideration. And if you feel that this approach absolutely would not work to answer the questions that you face then we certainly will take it back and completely rethink it.

MR. LOHSE: Do I hear a motion for the Council to go ahead and support the idea of a study?

MR. KOMPKOFF: Is there a project, the juke box project, going on now that's doing some \_- coming to the village and they're doing some \_- they're putting all this stuff on tape what people \_- I don't know if anybody know about that yet, but Rita Miraglia from the Fish & Game is doing that. She was down in the village last week and taking comments on fishing, all the Fish & Game stuff going around Chenega Bay?

MR. GREENWOOD: Yes, I'm aware of that study that's going on throughout Alaska. This is a similar study but it's not the same as the juke box project.

MR. OSKOLKOFF: Mr. Chairman?

MR. LOHSE: Yes?

MR. OSKOLKOFF: I personally \_- well, I should say from my perspective, I would be more inclined to go along with Rosa's suggestion that perhaps they could bring back alternatives. I'd be curious what alternatives are available and what could be \_- what other things could be done, what other approaches could be used.

MR. LOHSE: Do you feel that there is a need for the information?

MR. OSKOLKOFF: I feel that there is a need for the information. I also feel that we have had many an opportunity and those opportunities have been \_- have fallen short, and we have had a great number of people spend time either complaining to us about it, the Board, filing lawsuits, reconsideration, and we have information that not everyone agrees with. I realize it's hard to get a consensus, but on the other hand I would like something that I feel would be a little more comfortable for everyone involved. I would certainly welcome the chance to explore the possibilities, at the very least.

(Chairman Ewan arrives)

MR. LOHSE: With hearing no motion to support, I think you can take into consideration some of the things that have been said at the table. We'll just have to withdraw that. Thank you for your presentation.

MR. GREENWOOD: And thank you. We'll take your concerns and questions in advisement.

MR. LOHSE: At this time, I'd like to turn the meeting back over to Roy Ewan. And Roy, we're just proceeding to go on to Item J.

MR. CHAIRMAN: All right. Thank you very much, Ralph. Item J? All right. I guess all of you have to help me there.

MS. EAKON: Okay. These are the RFRs, requests for reconsideration from the Department of Fish and Game. And that is the handout that was given to you last night. And Rosa Meehan will take the lead on the Fish and Wildlife side, and Gary Sanders from the Fish and Game, Juneau, will also help out.

MR. CHAIRMAN: Go ahead.

MS. MEEHAN: Okay. You've all had a chance to find them. I'd like to preface this with we just received these RFRs in our office a little over a week ago, it's dated September 23rd. As you may appreciate, our office has been somewhat frantic the past few weeks, attending regional council meetings, and we have not had an opportunity to work with the Board to set up a time to review

these or indeed start the staff analyses on them. And so what I'm prepared to do for you all today is just briefly touch on what the RFRs are in this council's area of responsibility and point out the highlights. And then if you \_- you know, certainly if you are interested in discussing them or making any recommendations, we'll carry that back with us, but there's no expectation of that. We just wanted to highlight these for you.

The first one in your packet has to do with the State of Alaska reconsideration of the regulation that changes the opening date of moose hunting down in \_- it's down in Yakutat. It's in Unit 5. And what the Board did is they did an earlier opening of the season, as opposed to the State's hunting season which opened October 15th. The Federal season opens October 8th. And the primary concern by the State is that the earlier opening actually gets into rut, and so the bulls are more susceptible to hunting. And also, the earlier season increases the potential for unintentional illegal hunting on State lands, because any hunter getting onto Federal lands is going to pass through some \_- over selected lands, so they're actually considered State or private lands. So, anyway, those are the two primary concerns of the State. It has to do with the season dates for the moose hunt down in Unit 5.

MR. CHAIRMAN: Could I ask where that proposal or whatever it's considered came from? Where it originated from?

MS. MEEHAN: I don't know, since it just came in from the State.

MR. CHAIRMAN: You don't know? Probably from the Southeast.

MS. EAKON: Actually, Mr. Chair, in checking the Federal Regulations and \_- this has to do strictly with Unit 5, which is the Southeast region. And so this was inadvertently copied for all of.....

MS. MEEHAN: I was just letting you guys take over more of the world. Moving right along. You can tell I'm new to this game.

The first one that really affects you has to do with customary traditional use of black bear in Unit 6. And the concern by the State is that the regulation, if this is on \_ - is this on Page 147 in our book? It doesn't matter. Anyway, the concern is that customary and traditional use of black bear in Unit 6 was expanded to the entire Unit, and it includes residents of Unit 6(C) and (D), and specifically the State has studies for black bear hunting by Chenega Bay and Tatitlek, and found that those communities make extensive use of 6(D) for subsistence hunting of black bear, but that they do not hunt black bear in Units 6(A), (B), or (C). This is a State study. And so what the State is requesting is that the Feds re-look at that decision of expanding the C&T use to the entire Unit, and instead bring it back to a more restricted definition.

MR. LOHSE: So basically its not asking that any separate area be dropped out of C&T, it's just that they're asking that the C&T be by subunits instead of by entire unit?

MS. MEEHAN: Yeah.

MR. LOHSE: See, I was under the impression that this was to rescind the action that put residents of Unit C, or in other words, the Eyak/Cordova area, as customary and traditional. What it's doing is just limiting it to customary and tradition for Unit (A), (B) \_ - for subunit (A), (B), and (C), which is the Cordova area.

MS. MEEHAN: Yes.

MR. LOHSE: For Cordova. (D) for Chenega and Tatitlek. I don't find any problem with it. If it's to drop customary and traditional for the Cordova area, then I would find difficulty with it.

MS. MEEHAN: Yeah, it's the former.

MR. LOHSE: It's the former. So basically to limit it by subunits instead of by the entire Unit.

MS. MEEHAN: Yes.

MR. CHAIRMAN: I just want to ask about \_- do we want to consider these \_- or just.....

MS. EAKON: Actually, after a staff analysis is written, the Board is going to meet to go over all of the RFRs that are pending. And more than likely, they will connect you, as Chair, over the telephone on a teleconference system.

MR. CHAIRMAN: So we're just going to have kind of an informal discussion on this thing?

MS. EAKON: This is just to give you a heads up of these two RFRs. This is for your information. Procedurally, you cannot make a formal recommendation until an analysis has been done and then the Board meets. And your Chair will join the teleconference.

MR. LOHSE: Okay.

MR. CHAIRMAN: On the bears do you have a question? Not bears \_- is it bears? Black bears.

MS. MEEHAN: Yeah, it was bears, black bears.

MR. OSKOLKOFF: I had a question on the procedure. When was the Board going to meet on these?

MS. EAKON: I'll defer to Rosa.

MS. MEEHAN: Yeah, we have not had an opportunity to get together with the Board and schedule anything, and so we really don't have an answer to that question right now. Since we just got these and you all are meeting right now, we wanted to let you know that we have these and that we will be considering them. And if you had any sort of first blush impressions, we're more than happy to take those back.

MR. CHAIRMAN: Well, I would make a comment then, because \_- you know, I don't know about this \_- is it Unit 6 we're talking about? Unit 6, yeah. I don't know that area very well. Ralph does. But I know in discussions on the Kenai Peninsula areas, I know that we lack a written record of subsistence use, but there have been members that get up and say there have been use in the

past. But, you know, all that has not been recorded. So based on the local people, Native people, testifying, saying that there has been use in the past, that is basically what we made our recommendations on.

MS. MEEHAN: Uh-huh.

MR. CHAIRMAN: I know that we don't have \_- I think the proposals, several of these proposals, say we don't have substantial evidence. We didn't, it's true. But we relied on history, oral history, rather than, you know, written history.

MS. MEEHAN: Okay. The final RFR that I would like to point out to you does have to do with the moose down on the Kenai Peninsula. And again, the State of Alaska requests reconsideration of the Board's determination of customary and traditional use for residents of Ninilchik, Nanwalek, Seldovia, and Port Graham in GMU 15(A) and 15(B). This is a subject that's been well discussed.

The primary points that the State brings up is first that they question how well the analysis presented to the Board addressed the first C&T factor. As you all know, there is an eight factor customary and traditional use \_- eight factors are used in determining customary and traditional use. The first one is a long-term consistent pattern of use, excluding interruptions beyond the control of the community or area. And the State is questioning how well the information presented to the Board addressed this first factor, the long-term and consistent pattern of use. So that's one part of their presentation.

A second main point brought up by the State is that the Board's determination was not supported by the record. In other words, when the State read the transcript, they did not feel the information presented in discussion to the Board and by the Board supported their decision. And another point raised by the State was that the Board's deference to the Regional Advisory Council recommendation was not warranted. Those are the primary points.

MR. CHAIRMAN: Okay. All right. Any comments or questions on that? Again, I wanted to say the same thing, you know. We relied on the local people that have said to us, to their Regional

Council members, that they have used it in the past, you know. How far back do your records go? A hundred years? Before that \_- the Native people have been here for thousands of years. So we have to rely on elders that come to our meetings and say, hey, I did use that area, my grandfather used that area. Because there have been changes in regulation or there have been regulations, laws, you know, imposed on them, or lands were withdrawn or something, restriction was imposed on these people and they quit using it. If it's now available, they should have that same opportunity they had many years ago, is how I feel. Gary?

MR. OSKOLKOFF: Mr. Chairman, I'd like to agree with your comments, and also perhaps add that I notice in reading the RFR that it refers to public record analysis, interagency staff analysis, that was presented. And to echo once again what the Chairman has said, we have found a shortcoming in the State's presentations with regard to time previous to World War II. And I use that date because that is a date that \_- a relative date, I should say, not a specific date, that we more or less adopted in dealing with the term customary and traditional because we felt that under Criteria 6 where it discusses the handing down of knowledge of fishing and hunting skills, values, and lore from generation to generation, we felt that there would have to be two generations involved. At least in that it would take some time.

I realize that people have children of different ages, and we took those factors into consideration, very lengthy discussions originally, on how we should characterize this. And we felt that at the very least, you would have to use that criteria to have some kind of established pattern. And when we're dealing with some of the information that the State has presented, we are often \_- we often find it to be very recent information and a lot of the more long-term history isn't being discussed, except for in very short terms.

We then have to fall back on oral tradition, if you will, not only in the Native communities and in the tribes but also from people who have been in this area for years prior to that time. So that's been one of our considerations. If the State could address that, that would be helpful, I think, to this Council to have them perhaps glean information that they might have and bring that when this is presented again at the next Council meeting.

I know I would appreciate that.

MR. CHAIRMAN: Any other comments on the \_- this is Unit 15(B) and (C)?

MS. MEEHAN: 15(A) and (B).

MR. CHAIRMAN: (A) and (B)? Yeah, okay. Sorry, I didn't bring my stuff, but I left it at home.

MS. MEEHAN: What we will do is, as soon as we've had a chance to look at these within the office, get in touch with Mitch Demientieff and set up something with the Federal Board, we will certainly contact you, Roy, and Mr. Chairman, and apprise you of how we're going to do it and when.

MR. CHAIRMAN: Okay. Do you have others?

MS. MEEHAN: That was it.

MR. CHAIRMAN: That's it? All right. Did you have a comment, Gary?

MR. SANDERS: I have nothing to add. I thought Rosa did a very good job of summarizing.

MR. CHAIRMAN: All right. Thank you very much. The next item then will be.....

MS. EAKON: Mr. Chair, before we leave that, when the Board deals with RFR on the black bear, if either Ralph or Don would like to join us as well, please feel free to. And the same thing with Ben and Gary on the moose in Unit 15(A) and (B). If you'd like to join us via teleconference, we'd be happy to connect you to the bridge, okay?

MR. OSKOLKOFF: Mr. Chairman, could I ask one more question?

MR. CHAIRMAN: Yes.

MR. OSKOLKOFF: And that's why I was asking you about



procedure. It was my assumption that this was going to go into the staff analysis phase and then it would come back to this Council before it went to the Board, or is it the intention to take it directly to the Board?

MS. EAKON: That is the intention, to take it directly to the Board. That is \_- if you will check our regulations, a request for reconsideration, you will find that to be the case.

MR. CHAIRMAN: Okay. Are we done with Item J now?

MS. EAKON: Uh-huh.

MR. CHAIRMAN: All right. We will move on to \_- are we done then?

MS. EAKON: We had taken those two items out of order, so we're going to go back to our regular agenda.

MR. CHAIRMAN: Oh, okay. Oh, I see what you did. Where are we at now?

MR. JOHN: 9(A).

MR. CHAIRMAN: Okay. Under 9(A), Regional Council charter be included in a rural and \_- Helga?

MS. EAKON: Okay. The briefing information on this particular topic is under 9(A) in your book. Under 9(A) you will have a copy of the recently signed charter and directly behind it you have the briefing paper on Item 9(A) Regional Council Charter included in a rural.

When the first charters that authorized the starting of this Council was signed in 1994, the language on the membership did not require that the Regional Council member be a rural resident. It just requires, as it does today, that members who sit on the Council shall be knowledgeable of subsistence uses of fish and wildlife, and are residents of the region represented by the Council. When the charters were renewed in 1994, this particular membership paragraph, which is #9 in your charters, contained the word rural, therefore making rural residency of the

region a requirement of the Regional Council membership.

In June of this year \_- actually, there's a typo. It says, on June 4, 1995, the Regional Solicitor advised in a memorandum that inclusion of a rural residency requirement would be an error. Actually, that was in 1996, of this year, when this opinion came out. Essentially, the Regional Solicitor said, look, rural residency is not required by the Statutes or the Regulations that implement Title VIII of ANILCA. When the Federal Subsistence Board met on June 12, 1996, the Board acted in accordance with this particular Regional Solicitor's opinion. However, at this particular meeting, the Regional Council chairs or their designees were connected by teleconference, and Roy, did you join us in June?

MR. CHAIRMAN: I believe I did, yeah.

MS. EAKON: Yes, yes. And after listening to the chairs, Mitch Demientieff, the Chair of the Board, said, look staff, put this on the agenda for all of the ten Regional Council meetings that are occurring during this fall. So that is why this is on your agenda. You should know that on July 16, the chairs of the Seward Penn., the Northwest Arctic, and North Slope wrote a letter to Secretary Babbitt saying, look, we feel that the Regional Solicitor's opinion is in error because \_- essentially, they say that their reading of Title VIII of ANILCA requires that members be rural residents of their particular regions.

So there's three things that you should do at this particular time. First of all, discuss and vote on whether or not you think rural residency should be a requirement of \_- rural residency of this particular region. And another thing is, you do have access to an appeal. You could appeal directly to the National Solicitor for him to look at the Regional Solicitor's opinion and render \_- you know, give an opinion on the Regional Solicitor's opinion. And you do have a copy of it there in your books. And last of all, you need to vote on approving your charter, okay?

MR. CHAIRMAN: All right. Ralph? Yes?

MR. LOHSE: Mr. Chairman, if we take a look at our charter that we have in front of us, on Item #2 it says Objectives and Scope

of Activity. The objective of the Council is to provide an administrative structure that enables rural residents who have personal knowledge of local conditions and requirements to have a meaningful role in the management of fish and wildlife and of subsistence uses of those resources on public lands in the region. I think that pretty well answers the question in front of us. I mean, if it's to give rural residents a meaningful role in the management of fish and wildlife, then they should be rural residents. Either that or if the latter part has to be changed, we need to change Item #2 also.

MS. EAKON: I agree with you, Ralph. I wouldn't want all urban people deciding, you know, my future out here. I don't think it'll be good for a rural area or the majority if they're not all \_ - if they're all from the urban area. My observation over the years here in Alaska is that urban areas have more political pull because they have more people, and no more people have more contacts and are in contact with more people and more agencies. I think that it may end up where the urban area outnumbered a rural area on the Council, and that would be bad for the Council for rural reasons, I believe, myself. I don't know what the other Council members think.

MS. EAKON: Mr. Chair, I believe there is a gentleman in the audience who would like to testify on this issue. Is that gentleman here? Was it you? Was it you who wanted to talk about the rural? No? Okay. Sorry, my mistake.

MR. CHAIRMAN: Any other comments? Gary?

MR. OSKOLKOFF: Mr. Chairman, I think that there is an understanding, at least, if not a written statement, that the Advisory Council should be perpetuated for essentially eternity if necessary. I don't think there's essentially a stopping on it.

In reviewing the Regional Solicitor's comments on the last page, one point he brought up in favor of the rural residency requirement gave me a moment to pause here. Under (C) it says, a non-rural resident does not benefit from the subsistence priority, how could he or she offer meaningful comments on the Council? I think we run into an odd situation if there's not a rural requirement. If that person gets on the Council and is not

allowed to participate, their continuity of knowledge with regard to subsistence would in time start to erode with the gap in time from when they became an urban resident, if you will.

If that is the case, that individual would have a difficult time somewhere down the road tying those facts together. It could be 30 years of use difference. And on a more interesting note, that if that is the way the entire Council is handled, then the entire Council at some point could essentially moot itself by losing contact with its rural residency. That is, it would not self-perpetuate, it would be finite at that point. And I don't think that was originally the intention.

Perhaps I haven't explained it exactly as well as I saw it in my head, but that point hasn't been brought up here and I think that's something that a court would look into is under a scenario where you didn't have a rural requirement and the backstop mentioned in the second section under (C) did not work, and I don't know that it would work, you would have, as it states here, a delusion of focus by the Regional Councils. And I don't think that was the intention in the original law.

MR. CHAIRMAN: Any other comments? You want some kind of action on this, vote on it?

MS. EAKON: Yes, you need a motion on this very issue of do you think rural residency should be a requirement of Regional Council membership.

MR. CHAIRMAN: All right.

MR. ROMIG: I'd like to see the rural language, you know, stay in place. But I know that right now, I think, in the Southeastern, the chair, Mr. Thomas, is from an urban area and I think he does a good job. So I think there are cases where there are knowledgeable people in urban areas who could serve on the Councils. But I'd be reluctant to support a change of the language where you'd make it \_- where you could have a scenario where you could basically make up the Councils with, let's say, over 50 percent of them from urban areas. I wouldn't want to see that some about. So I'd be in support of these chairs from the North Slope and Northwest and Seward Peninsula regions.

MR. CHAIRMAN: Any other comments or discussions?  
Anybody want to make a motion?

MR. JOHN: I'd like to make a motion that we keep the rural just the way it is right now and not change anything.

MS. EAKON: Right now, as it \_- right now, the way it's in the charters is in accordance with the Regional Solicitor's opinion that you cannot make rural residency of the region a requirement of membership on a Council. The Board adopted essentially the Regional Solicitor's opinion. So right now, rural residency is not a requirement in your charters.

MR. CHAIRMAN: So what you want us to do is make a recommendation that we.....

MR. JOHN: I would like to make a \_- recommend that we appeal this to the National Solicitor's office to have rural only.

MR. CHAIRMAN: There's that.....

MS. EAKON: First of all, you should act on Mitch Demientieff's directive. Do you want rural residency as a condition of membership? Do you want rural to be in the charters? Right now, they're not in the charter.

MR. JOHN: Oh, that's what I was saying the first time. I want rural to be in the charter.

MS. EAKON: Okay.

MR. JOHN: Yeah.

MS. EAKON: And then vote on that and then vote on your other motion.

MR. JOHN: Okay. I thought maybe I couldn't do that, so I was going to do the second thing. Well, I'll just do the first one. I'll make a motion on the first.

MR. CHAIRMAN: Okay. If I understand the motion, you're

making a motion that we recommend that the Council members be rural residents?

MR. JOHN: Yes.

MR. CHAIRMAN: That's basically a recommendation? Is there a second?

MR. OSKOLKOFF: Second.

MR. CHAIRMAN: The motion's seconded. Is there discussion on the motion? If not, all in favor say aye.

IN UNISON: Aye.

MR. CHAIRMAN: Opposed by the same sign? Motion is carried.

MS. EAKON: And then your motion to appeal the Regional Solicitor's opinion to the Washington, D.C. National level?

MR. CHAIRMAN: Did you want to make that motion, also?

MR. LOHSE: I so move.

MR. CHAIRMAN: There's a motion to appeal to the National.....

MS. EAKON: The National Solicitor.

MR. CHAIRMAN: .....Solicitor's \_- for his opinion on this rural residency. Is there a second?

MR. JOHN: I second.

MR. CHAIRMAN: Second? All right. For discussion of the motion? If not, all in favor say aye.

IN UNISON: Aye.

MR. CHAIRMAN: Opposed by the same sign? The motion is carried. The third item was what?

MS. EAKON: Actually.....

MR. CHAIRMAN: Quotas, the second item.

MS. EAKON: .....it's already a done deal. Mr. Babbitt did sign the charters, they're official. So we're to operate for another two years. Okay?

MR. CHAIRMAN: All right. We took care of that then.

MR. LOHSE: A question, Mr. Chairman?

MR. CHAIRMAN: Yes.

MR. LOHSE: The fact that we appeal it to the National Solicitor doesn't guarantee that he will find in our favor, does it?

MS. EAKON: No, it does not. It just says, okay, this is what the Alaska Regional Solicitor's office said. Please review this and see if you agree, and if you do not agree, why.

MR. JOHN: If there's another administration in after that, could we appeal again?

MR. CHAIRMAN: Gary?

MR. OSKOLKOFF: Helga, is it my understanding that this is a recommendation for the Board to ask for the National Solicitor to.....

MR. CHAIRMAN: That's the way I understand it.

MR. OSKOLKOFF: Is that the way it's.....

MR. CHAIRMAN: Or can we go directly.....

MS. EAKON: The chairs of Seward Pen, Northwest Arctic, and North Slope went directly to Secretary Babbitt. And it was my understanding that \_- I might need help from Mr. Caplan here. How would that do \_- could this Council appeal directly to the National Solicitor or the Department of Interior, or do they have

to go through the Board?

MR. CAPLAN: I think two things can be done. Maybe I can come up here. Two things can be done. This Board can send a letter to the secretaries of Agriculture and Interior asking that this decision be reconsidered. In addition, I think Mitch wants your input so he can make a decision along with the Board about asking the Fish and Wildlife Service, probably is the lead agency, to ask for a review, and appeal again to the National Solicitor. I think he's looking for your comments.

MS. EAKON: Okay. So it will go through the Board, right?

MR. CAPLAN: Uh-huh. But you could send a letter directly to both secretaries requesting that it be considered as well. That's certainly an action you can take. It doesn't require them to do anything, but it is something you can do. And based on my reading of Mitch's comments, he would be fine with that as well. I don't think he would feel that was out of school at all.

MR. OSKOLKOFF: Mr. Chairman, if I could comment that it's my understanding that since this is a recommendation, my hope is that the Board doesn't feel that they have to, in fact, wait for a determination from the National Solicitor before acting upon it.

MR. CAPLAN: Oh, you mean in terms of asking for additional review by the Solicitor? See, at this point, the Board has an opinion saying rural residency is not a requirement, and so that's the opinion that we're operating from. That's why the charters don't have it in it right now. So it isn't like the Board has waited for anything, it's just that we can go on and ask for further review. And that, I think, is what you're calling for.

MR. OSKOLKOFF: Yeah, exactly. Thank you.

MR. CAPLAN: Yeah. If I could address just a couple of comments to you, Mr. Chairman. And I deliberately didn't say anything while you were discussing this issue, because I think it's a long-term issue that we all need to work on. This is just one example of a concern that I have as a recent Board member. I've been on the Federal Board now for about six months representing the Secretary of Agriculture. And what \_- I am concerned about representation on the Board, and our ability to incorporate kind



of disagreement into a Board dialogue. Where we have all rural residents with excellent knowledge of the rural situation, what's needed in Alaska, that's a great benefit to the government to have you folks volunteering and participating. But we don't have any urban people to raise their issues, even though that they might remain few in number. Then that isn't here when the discussion's going on. We hear about it, we read about it in the paper, but it's not here. Or it's on this side of the table in your face, creating a conflict, a dialogue. And I know Gary understands that very well, very, very well, and the rest of you do, too.

I guess my point is this: between our opportunity to work with the Alaska Fish and Game Advisory Boards on a personal level, which I know some of you folks already do, and our ability to consider who might sit on this Council in the future that would have an urban representation, or at least enough knowledge of what urban folks are interested in to bring that to the table and the dialogue. I think those things ought to be something you consider.

This is a democracy. That we all sit here working on these issues is a wonderful representation of how a democracy can take and give to a relatively few number of people priority use of a resource. And I think that's the right thing to do. But given a sufficient level of unhappiness with that, the democracy can take that right away. And I'm concerned over the long haul that we keep trying to maintain a high level of dialogue and interaction with those who dissent from the decisions that we make together. And I would like you to consider work with me, and anybody over time, as to how we might best do that. And if that means having a Board member or two \_ - pardon me, a Council member or two that is an urban representative, then I don't think that that's a terribly great risk to the integrity of the things that you do. So I'm not telling you to go do that, I don't have the authority to go tell you to do that. All I'm saying is, it's an option to think about and I'd be real happy to work with you in any way I can to figure out a way to get that information at the table when you're making decisions.

MR. CHAIRMAN: Thank you.

MR. CAPLAN: I appreciate the opportunity. Ralph?

MR. LOHSE: Jim, basically what you're saying is that sometimes it helps to have somebody from the other side as part of a committee because it brings up issues that you have to face, and you have to sharpen your own dialogue, and your own discussions, and your own reasons for doing things. Where if you don't have any opposition, you sometimes can get by without doing the work that you should have done.

MR. CAPLAN: Ralph, I think that's exactly right. What tends to happen is, is that we tend to listen to each other. You know, I work for the Forest Service, that's my day job, and certainly we've had that problem in the past where we know the right thing to do, but somehow the public doesn't agree. And we run into a little trouble with it from time to time over that. What we've found is the more we're able to bring them inside the corral with the rest of us ponies, the better off we are. And maybe it isn't the prettiest thing to watch in the world, but we tend to feel a lot more comfortable with our decisions as a result. So that's.....

MR. CHAIRMAN: Gary?

MR. OSKOLKOFF: Mr. Chairman, I agree with your comments. I think that what you are getting to, and perhaps I can restate it, is a matter of balance. And my concern with the rural, whether to leave it in or take it out, is that in this administration we understand essentially the way the appointments have come down, and there has been some balance achieved I think. But my concern is that if you don't have a set of rules or criteria that establish that balance, then it's up to the individual or individuals as they appoint in their own \_- from their own perspective and with their own wisdom. And I can see the benefit in having non-rural residents sitting on the Council, but I would like to see that we look very carefully on exactly how that's done and how it's structured so we achieve that balance, and that balance is maintained through the various philosophies that we'll probably encounter over the next couple of decades.

MR. CAPLAN: I think that's wisdom, Gary. I think the notion that you wouldn't want the majority on a subsistence council to be urban residents is probably very true. I mean, clearly the purpose of Section VIII is to, you know, maintain a high degree

of sensitivity to prior use, and prior uses by rural people. But to have some representation, the law allows for that, and the question is should it be one member, or two.....

MR. CHAIRMAN: I'm just wondering if what you're saying is that you'd want people that are opposed to rural preference and subsistence on a council. Is that what you're saying?

MR. CAPLAN: Well, you know, I don't think I'd go out, necessarily, and find active opponents, although that's an option. That's why I say I don't have the exact answer here. But I think I would seek some people who understood very well the urban point of view, and that who \_- in fact, if I were going and looking for them, I'd look for someone who either had been a subsistence user or was in the family that had subsistence connections, that they were able to understand what was really being talked about, but yet could be seen by the people in the urban areas as a representative for their interests and a place to focus their comments. You know, like you folks represent your hometown people and the people in your area.

MR. CHAIRMAN: It seems to me like that's the direction this whole thing is going. We want to get people that have lots of views from our views on the Council. To me, that's \_- if you give an inch, they'll take a mile. Urban people, like I said, have a lot of influence, a lot more than the rural people. And, you know, depending on who's in charge in Washington, we might have all urban here. I'm very concerned about that.

MR. CAPLAN: I think Gary raised the point of what's the right balance. I don't think you'd ever want a majority of urban folks on the Council.

MR. CHAIRMAN: And you know, speaking about that point there, to me, I don't see any difference if he's sitting over there or here. If he's going to be, you know, expressing a dissenting viewpoint, he's very effective up here just as well as sitting out there, it doesn't make any difference if we vote it down, but \_- if the majority are thinking the opposite. So I don't know.

MR. CAPLAN: Well, it's the issue of being able to cast a vote, I guess, is really what sometimes is in people's minds,

that you can be an excellent advocate and sit over here and raise your hand and yell and scream, but if you can't sit up there and vote then folks feel less than capable.

MR. CHAIRMAN: What I've seen in other boards is people that express a different view, say, on a board or a council, that it just slows progress. It really slows the progress. I'd rather have them on that side than on this side.

MR. CAPLAN: Well, it's what needs to be worked out, I guess. I only raise the issue.

MR. CHAIRMAN: Uh-huh.

MR. OSKOLKOFF: Mr. Chairman, on that note, I do have a fond recollection of many a discussion with Mr. Basnar when he was on this Council, where he and I had differing viewpoints although we were both from a rural area. And I just wanted to interject the comment that perhaps personality and perspective are more important, or just as important, as where you come from necessarily. He was able to very deeply sharpen my debating skills while he was around, and I much appreciated that. I enjoy a good argument as much as anyone, and I think in his comments to me, he enjoyed it just as much. We were from the same area, but we had two different perspectives on nearly everything that this Council came to. And I think that that perhaps could be sought out. I don't know how one does that in writing up regulation or legislation, but if there's a comment I could make to the Secretaries of Interior and Agriculture is that maintaining that type of dynamics is, I think, very important. It also helps keep me awake.

MR. CHAIRMAN: Any other comments? Ralph?

MR. LOHSE: Yeah, I thought Jim brought up one thing that was very, very astute and going right along with what Fred John said, and that's the fact that administrations do change, politics from the top do change, and if in a democracy you don't look like you are a representative body, with a change in administration you can become totally non-functional. The more that you appear to be a representative body, the more that you have a tendency to survive political changes. And political changes could take a

body like this and make it totally non-functional.

MR. CHAIRMAN: Anybody else?

MR. CAPLAN: Okay. Well, Mr. Chairman, thanks for.....

MR. CHAIRMAN: Just, you know, to comment on what Ralph said, I'd just as soon have it non-functional if it is going to be majority. That's my point. I would not want to see a majority of the urban people deciding a rural area resident's future. Like I said, you give an inch, they'll take a mile. I mean, they're more influential than we are out there. We know that in the State Legislature, urban area control the State Legislature and all of our Congressional delegation comes from the logger communities. It's just the way it is.

MR. CAPLAN: Yes, sir. One possibility, Mr. Chairman, is that individual Council members here put in some considerable time trying to interact with the ADF&G boards. And just that level of interaction might be enough to indicate to people a much higher awareness of other concerns. That's certainly allowed for under the law. Again, it's just a suggestion that \_- you know, as a relative newcomer, watching what's going on, watching the resistance that's building up to some of the things that the Councils want to do, it's just an opportunity for us to work at. I sure appreciate the difficult and delicate situation you're in. Of course, as a Board member, I'm very interested in your decisions and how I can support them. So thanks for the chance to speak to you.

MR. CHAIRMAN: What item are we on now?

MS. EAKON: We are on agenda Item 9(B), the question of alternates to Regional Council members. And I will do the presentation on that.

Several of the Regional Councils have asked that the \_- have said that they need alternate members to attend Regional Council meetings when the standing member can't attend. The Eastern Interior Council recently asked for a full slate of alternates for its nine seats under the charter review. And when the Federal Subsistence Board met in June, they reviewed Eastern Interior's request and directed the staff to put this as a fall

meeting agenda item. And the Federal Subsistence Board would like your opinion on the question of alternates. And if you look in your book on that one page briefing, there's two \_- if you like the idea of alternates, there's two suggestions there. You could have two at large alternates, with one representing half the region and the other the other half. And the benefits of this would be quorums for meetings and a pool of potential candidates for open seats. And the other suggestion would be a shadow council, the full slate of alternates. So what do you think \_- the Board would like to know what you think of alternates to the Council, to this particular Council?

MR. CHAIRMAN: I would like to ask a question before we get into discussion. Did they propose how they would be selected, if we do decide we want alternates?

MS. EAKON: They would have to be appointed by the Secretary in any case, and they would have to go through the same process that we do. Once we get applications for a particular seat to the Council, you know, the panel members representing the Federal Land Managing agencies in the region divide up their responsibilities to check on references in the applications, and then a Board meeting where the Board would make recommendations to the Secretary. So we'd still have to follow the same process as we do now.

MR. CHAIRMAN: Okay. Ralph, do you have comments?

MR. LOHSE: Yeah, I was just going to ask Helga, you know, from time past, have we \_- evidently that seems to be an issue other places, but have we ever had problems with quorums at our meeting?

MS. EAKON: This particular Council has never had a problem with a quorum. This particular Council has held the most meetings of any Council in the State, and more often than not you have full membership present. No, we have never had a problem with quorums.

MR. LOHSE: So we basically have \_- alternates to this point in time wouldn't have done us much good because they wouldn't have been needed.

MS. EAKON: That is a true statement.

MR. CHAIRMAN: Any more comments or recommendations?  
Gary?

MR. OSKOLKOFF: Mr. Chairman, I have to like the concept of alternates, but I don't feel comfortable in making that in the form of a motion or advancing that type of discussion until it were substantially more fleshed out. The workload, I think, is getting more rather than less, and I think \_- I don't know how it is for the other Council members, but it's getting very difficult to spend my time, several days, at the meetings. And even if I do, sometimes I walk away feeling that we haven't spent enough time on some of these major issues. So I think that we might want to look into something being done, but I don't feel my thinking has really been fleshed out with regard to exactly what should be done.

MR. CHAIRMAN: Thank you, Gary. I feel that answer about recommending one way or the other also. I have a problem having somebody representing me. I have pretty specific views about certain things, and I don't know whether my alternate would express those views adequately in my absence. I have a problem with that. Also, I don't like the idea of the Secretary appointing, which, you know, could be someone that's totally opposed to your ideas, your way of thinking. That's my viewpoint. Any other comments? Ralph?

MR. LOHSE: I could see, from what Helga says, that this may be a bigger issue in some areas of the State than it is in others, and possibly my suggestion would be that it be left up to the discretion of the individual Councils. And if they saw the need, that they be given the option to either \_- either/or, to at large or, if they saw the need to appoint the full \_- you know, if they saw the need to appoint a full slate. But that it should be the Council's option. And at such time as we don't have quorums and we don't have representatives at our meetings, at that time we can approach the issue and deal with it as a Regional Council. Because each place is a little different, and each place has its own individual needs and things like that.

MR. CHAIRMAN: Thank you. Are you done?

MR. LOHSE: Yeah.

MR. CHAIRMAN: I do have one more thing that I forgot and that is I was going to mention that the \_- the alternate has to be informed, fairly informed, to make decisions at the Council, has to know what happened in past meetings and so on. How he gains that knowledge I don't know. I mean, you can't bring in a guy that's kind of new and the issue is kind of new to him, or her, and expect that person to make a very intelligent decision, I don't think. I don't know, maybe I'm wrong about that. But it seems to me like you need to build up your knowledge over time on some of the issues. Ralph?

MR. LOHSE: Well, the only way I could see to do it is the same way like we do it with our Advisory Council in Cordova. Our alternates get all the information \_- our alternates partake in \_- they take part in all of the meetings and all of the discussions. The only thing they don't get to do is vote, if there's a full slate of \_- you know, if we have a full slate of regulars there. If there's not a full slate of regulars, they get to vote. But other than that, they would have to be brought to the meetings just like we are, they would have to be provided with all of the information just like we are, they would have to be full-fledged members of the Council just without voting rights except at that time when there isn't sufficient people here for a quorum. And that's the only way it would work, otherwise the alternate doesn't know what the discussion's been, doesn't know the feelings of the Council, and doesn't know what the background is.

MR. CHAIRMAN: Okay. Fred?

MR. JOHN: Chairman, I felt that \_- how I feel is that if you want to be on a council, if you apply for it, you go through all the things, I think you'd be there. And that's how I feel, myself. And if there's a big emergency, I mean, you'd be there at all the meetings and you'd participate. And having an alternate, you know, you could sit there and say you don't want to go. And if you're going to be on part of the council, I think you're going to participate and you're going to be at the meeting. And the other thing is, I don't mind having, myself, my own \_- having \_- but you just mentioned there maybe there's two alternates, probably one from the \_- you know, probably two different regions



here and there, our own region. I'd go along with that. But I don't want to have anybody, myself, coming \_- the guy that takes my place might have just a completely different opinion, or don't know what's going on. I'd like to have that.....

MR. CHAIRMAN: Anybody in favor of a break? How about a five minute break and we'll come back to this?

MS. EAKON: Before you take a break, thank you very much. My preliminary opinion, which I expressed to some of my.....

MR. CHAIRMAN: We didn't decide yet, we're going to.....

MS. EAKON: .....staff was, this Regional Council, the Southcentral Regional Council, is going to get a little bit miffed. We don't have a problem with a quorum, we take our responsibilities very seriously, and you proved me right. So I guess we're getting to.....

MR. CHAIRMAN: We'll take a five minute break and we'll come back to this issue.

(Off record)

(On record)

MR. CHAIRMAN: Call the meeting back to order. Let me find my agenda here. We're down on \_- are we done with (B)?

MS. EAKON: Yes, we are.

MR. CHAIRMAN: Okay. Oh, we didn't take any action, so I guess we're still discussing the alternates to the Regional Council. We have a recommendation to make \_- we should make it, and if not.....

MR. ROMIG: I'd like to make a comment.

MR. CHAIRMAN: Yes, Ben?

MR. ROMIG: Well, I'd like to, you know, kind of confer with the rest of the Council's feelings, you know, on the issue. I think it is \_- you know, when you get on a Council like this,

you do have to have quite a bit of commitment, and I think given the record of our Council that, you know, this shouldn't be a concern of us right now. And I guess my suggestion to the other Councils that might be having a problem would be possibly reducing the size of them so that they could get their quorums together. I know that \_- I think in the Kodiak region there, they have like 13 or something on their Councils, and I'm sure they could, you know, reduce that down a little bit if there is a problem. That'd be my only suggestion.

MR. CHAIRMAN: All right. Thank you, Ben. Any other comments on the alternates?

MR. DEMENTI: Well, myself, I think we're doing good now. I mean, why should we need alternates when everything's running good now.

MR. KOMPKOFF: I agree.

MR. CHAIRMAN: Okay. So we just \_- there's no recommendation, is that how we're going to go?

MR. LOHSE: If I was going to make a recommendation, I would recommend that it be left up to the individual Council if they see a need.

MR. CHAIRMAN: Maybe we can express that, the fact that we don't \_-.....

MR. LOHSE: Should I make that a motion?

MR. CHAIRMAN: .....we don't recommend having alternates at this time.

MR. LOHSE: I'll make a motion then to the effect that we leave the matter of alternates up to the individuals Councils as they see a need.

MR. CHAIRMAN: Is there a second?

MR. DEMENTI: Second.

MR. CHAIRMAN: Further discussion on the motion?

Questions called for. All in favor say aye.

IN UNISON: Aye.

MR. CHAIRMAN: Opposed by the same sign. Motion is carried. Any further discussion on this particular issue? If not, we'll move on then. We're down to Title VIII ANILCA, Legislative History. Okay.

MR. BANE: Mr. Chairman, my name is Ray Bane and I tried to respond as best I can to the request you've made in regard to the intent and purpose of Title VIII. These are notes that I have made. I won't go over them in detail. I'll try to condense my presentation. I know your time is valuable.

First off, your question goes to the heart of Title VIII. And to a large degree, to the heart of ANILCA. It's one of the primary purposes. And that is, of course, subsistence and accommodating those needs and those uses on lands that in some cases would have been closed to them otherwise. When you made your request, apparently there was a rush to respond. That rush largely was away from it. They looked for somebody whose head could go on the blocks that I could answer \_- or they could answer your questions without too much concern. Consequently, they looked for the person who would probably be, I think in my case, the most expendable. I recently celebrated my 60th birthday, so I get the nod.

Let me, if I will, just very quickly go over my own involvement in this issue so that you can have a better idea of my expertise and how well I can respond to your questions. I came to Alaska in 1960. Spent the next 10 years largely as a schoolteacher in rural villages, mostly in northern Alaska. I spent additionally four years doing subsistence research in large part during the planning stages in ANILCA, pre-ANILCA time. I then became a part planner and worked partially as a liaison to rural communities with the National Parks Service from the mid 1970s through 1981. Since that time, I've worked in park operations and including park management. I served for a short time, or at least a very enjoyable time, as a parks superintendent. More recently, since 1990, I've worked in subsistence research and policy. And that's pretty much my involvement in this particular issue.

To understand the purpose and intent of Title VIII, you have to take a look at history. In this case, the Alaska Native history is one of the primary focuses here. Up until 1966, the Alaska Native concerns regarding their lands and their lifestyle were not given a great deal of attention. At that time, there was a lot of concern and there were a lot of different efforts to get response to Alaska Native needs and issues. In 1966, Alaska Federation of Natives was formed. That unified the Native voice. In turn, in 1966, the Federal government froze land selections, largely preventing the State of Alaska from going ahead with its land selections and other types of land dispositions. That set off a rush to try to resolve that issue.

It kind of chugged along until 1968. As you well know, in 1968 Prudhoe Bay became a major issue within the State. There was a rush to get those claims settled so that we could get a pipeline. In 1971, ANCSA was passed. That bill and that Act attempted to resolve many, or at least most, of the Native concerns through a use of land and money to respond to their needs.

The Senate version \_- there were two versions of that bill. The original Senate version established subsistence zones \_- or would have established subsistence zones on Federal lands in Alaska. Those would have been subsistence zones primarily focused on Native use. They would have essentially said that the \_- the upshot of that would have been that had there been a shortage of resources, i.e. game, then Native use would essentially become the primary consumptive use on those lands. That version \_- that provision was discarded. Instead, the Secretary of the Interior was directed to take action in the management of Alaska lands to respond to those types of concerns. There wasn't anything specific, but essentially given direction to try to be as sensitive as possible to those concerns.

As I say, in 1971 that bill also included 17(D)(1) and 17(D)(2) provisions. Those two provisions allowed for the study of lands for possible inclusion in parks, refuges, and other types of conservation units. In response to that, the Federal government and the Department of Interior and Department of Agriculture helped to form an Alaska task force. They were sent up here, people from a number of disciplines, to study those lands

and to make a report back to Congress, make recommendations as to whether or not those lands should be indeed included in conservation system units.

One of the things that became very obvious at that time was that any bill that would come out, any Alaska bill, any Alaska lands bill, would have to respond to subsistence concerns. That was going to be a major component of it. And in turn, that task force initiated a number of research projects. The National Parks Service ended up pretty much leading that effort. And those research projects were focused on village communities, Native communities primarily but also non-Natives. At this time I'd like to show you a few slides that kind of focus on that particular concern. If I can figure out how to use this.

As I say, the primary focus was on rural villages, and places where people were living on the country and in the country, and largely focused on that type of a subsistence lifestyle. In this particular case, this is the village of Hughes up on the Koyukuk. And a village over on the Kobuk River. The people they were primarily concerned with, not entirely but primarily, were Alaska Native people, and that focus was pretty much on the culture of those people and avoiding, to the degree possible, of disrupting those cultural traditions. And these people, of course, lived, most of them, in a fairly basic lifestyle, out in areas that were, in large part, not connected by roads or other types of conventional transportation, and who still relied very heavily upon natural resources for sustenance. Now these folks, in many cases, still have fish camps, and they still, of course, harvest the annual runs of fish, and there's a lifestyle built around this type of resource use.

The reports that came out showed that there was more than just the harvest of game. There were other types of resources which were very important to rural communities, and some of those \_- many of those resources were going to be enclosed within these conservation units. In this case, house logs. And people were still going out prior to ANILCA and ANCSA and harvesting their needs from the land without any real consideration as to who owned that land. That land was wild, and consequently people would go and find \_- wherever they could find good, straight logs, in this case. They harvested them and then floated them back to their village.

This particular raft is going about \_- in distance, about 150 river miles to get back to the village. People were also using other resources, birch bark, and other types of materials to work with handicrafts and what became known as customary trade.

Trapping, of course, as you folks well know is a major component of a local subsistence lifestyle, and also the harvest of resources has a part to play in the culture beyond just meeting economic and physical needs. It's part of potlatches, it's part of ceremonies, consequently it goes deep within any culture's reliance on that type of an economy. In this case, burning food at gravesites. There were also \_- it was also found that there were a substantial number of non-Native people who had chosen to live that lifestyle. Some, many of them, lived in Native villages. In some cases, they were married into Native families, other cases they lived outside of villages in small mining communities, had been there for a long time and had also developed a subsistence lifestyle. Some lived way out in the country. They chose to go out as far as they could to get away from people and to live off the country. And of course, they were involved in the harvest of wildlife resources also. In this case, this is an individual who used to live out on the Upper Yukon, they called them the river people. That's, I think, all I have on that.

In 1980, of course, ANILCA was passed. Interestingly enough, and in some cases unfortunately, it was a last minute rush deal. Normally, when you have a bill of this magnitude, you'll have two versions. One being the House version and the other being the Senate version. Generally, there's differences between the two. You send them to a conference committee, as you folks, I'm sure, well know. The conference committee works out the differences, they get together, they try to figure out, you know, who should get what, how it should be changed so that everybody's basic needs are met. They send it back to both Houses, it's passed, and the President signs it. Part of that involves also writing a report as to what they meant at the time they had that conference committee, what did they mean in terms of subsistence, what did they mean in terms of access. They would give you a more detailed explanation and provide you with some guidance as to how to interpret the law.

In this case, that didn't happen. Because there was a last

minute rush, what you ended up was coming down to the wire two different versions of that bill, one being the House version, the other being the Senate version. There was not enough time to go into conference committee. Consequently, what we ended up with was the Senate version. S-9 became the vehicle for what became ANILCA. It was the one that was passed. The House essentially let theirs fall by the way and voted on the Senate version. And again, that version did not have its own conference committee language to clarify some of its meaning.

Because there's no single report, and no single references to exactly what was intended for, in this case, Title VIII, there are three documents or three different sources you can go to to pretty well decide or, at least in your own mind, try to figure out what was intended by Title VIII of ANILCA and other provisions in that. Those are the law itself, the plain language. The Senate report on an earlier bill -- that Senate report actually came out in 1979. ANILCA was passed in 1980. There were changes from the time that Senate report came out as opposed to what actually came out in the legislation. And then at the time ANILCA was passed, the House issued its own report, which focused in large part on national parks and to some degree on subsistence. And so it's how you balance those various sources. In some cases, it can be very confusing. In other cases, there's, I think, substantial information to support certain types of stances on what was intended by the law.

In terms of plain language, and plain language obviously supersedes intent, no matter what Congress intended, what it said, actually said, is what actually has to be implemented. You could have people there saying they didn't really intend that, that may or may not be the case, but what actually is in print in the law itself takes precedence over any intent. In this case, the plain language of ANILCA makes it, I think, reasonably clear that we are to protect rural residents and their offspring with pre-existing history of subsistence use. We are to make sure that that opportunity for that lifestyle continues. It is to be non-racial, it is to be administered on an equal basis with all people that are affected by it, and not based on race. It's to focus on customary and traditional uses. That's to be one of the primary considerations in determining how you're going to go about managing subsistence, what has been customary and what is traditional in

terms of subsistence uses out there.

You turn then to the Senate report of 1979. Number one, again, as you read through it you'll see some things in there that don't coincide with ANILCA as it now exists. If you go through that, you will see some language in there that obviously is in keeping with the existing bill. And I'd like to just go through some of that. By the way, one of the things it said, which I think you'll come across, the Senate report said that subsistence uses in Wrangell-St. Elias, which is of course here at your next door \_ - in your next door area, subsistence uses were to be permitted in the preserve but not the park. That was in response to an earlier version of ANILCA. The one that actually passed provided for subsistence uses in the park as well as the preserve. So I think you'll see the conflict there.

In the Senate version, 1979, I think it's fairly clear that the first priority is to protect cultural values, based on the language. Yes?

MR. CHAIRMAN: Could I ask a question right here?

MR. BANE: You bet, I'm sorry.

MR. CHAIRMAN: You mentioned Wrangell-St. Elias. What about Denali and other parks?

MR. BANE: There's language in there on the same. In Denali, it was, as I recall \_ - and I'd have to go back and look at my more detailed notes here, it was at that point \_ - in 1979 they were going to provide for subsistence in preserves but not the parks, not the areas that would be designated parks. And preserves were to be primarily the consumptive use areas, the parks were to be non-consumptive uses, with some exceptions. Kobuk Valley was to provide for subsistence uses in what was the park.

Let me go back, if I can catch up here. The first priority, as least from my reading of the Senate report, is to protect cultural values. The second priority is to meet economic needs. And I think that's important, that distinction. The first one is to provide for cultural needs, the second, after you provide for cultural needs, is to provide for basic economic needs. And in part, that's because you can meet basic economic or physical needs,



i.e. food and clothing, if you wanted to go that route, through welfare and through any number of other types of resources \_- or sources. The Senate, I think \_- the Senate language is very clear. Our first priority is to provide for cultural needs. The second priority is to provide for basic subsistence or basic economic needs.

We're to provide for the continuation of a subsistence lifestyle by people with a personal or family history of that type of use. The language in the Senate report also states that a national interest goal is the protection of traditional lifestyles and cultures of Native people. And subsistence is to be managed on a non-racial basis. That's also very clear.

In terms of the House report, the emphasis in that particular document focuses primarily on Native concerns and on the protection of a Native subsistence based culture. Eligible non-Natives are to be treated the same as their Native neighbors. It makes it clear, at least in their language, that any ambiguities in regard to how you're going to interpret the law are to be resolved in the favor of Native people. It states that customs and traditions are more important than economic need, and that customs and tradition must be determined on an area or community basis and not on an individual basis. And let me give you, if I can, an example of that particular concern, that issue, a practical application of it.

After ANILCA was passed back in \_- I think it was about 1983, '82 or '83, somewhere in that area or that time, there was a request in Gates of the Arctic by an individual who wished to build a trapping cabin along his trapline. And it sounded like a pretty straightforward request. He had been trapping the area for some time and was using it on a regular basis, and he asked that he be able to put up a permanent shelter in a location which would help him manage his line. Before that permit could be issued, we went out and did an investigation to make sure that everything was straight, and it was. But we also went out and talked to some of the people who lived in the general area there and asked them if they had any particular concerns with that request, and with the possible giving of that permit.

The local people stated they didn't have any concern with

the individual trapping the area. They said everybody can trap this area. As a matter of fact, they did not recognize individual ownership of trap lines. That was in an area where trapping was treated differently than it was in other areas. Further into the interior, set trap lines belonging to individual people are a very common way of carrying out that activity. Over in northwest areas, that is not necessarily the case. It's a much more fluid situation. And consequently, they said they were afraid that \_- particularly where the individual wanted to put up his cabin would interfere with some of their activities. Now they had, as I say, no problem with him trapping it, putting up tent camps, having a cache, anything of that type, but they did feel that the erection of a cabin would establish that individual essentially being the owner of that area and make it more uncomfortable, perhaps difficult, for other people to trap in the same general vicinity. Consequently, the permit was denied. Again, that was based on determining customs and traditions on a community and area basis rather than on an individual basis.

As I say, those, to me, at least from my review of ANILCA and the Congressional documents that go along with it, and to a certain degree from my own personal experience, pretty much gives you some idea of what, I believe, the original intent and purpose of Title VIII is. I'd be happy to answer any questions.

MR. CHAIRMAN: Any comments or questions from the Council members? If not, thank you very much, Ray. It was a very good review of the \_- we do have some people signed up to testify. I think we ought to, if we don't have anything pressing right now, go to that.

MR. JOHNS: Mr. Chairman? I'm going to have to go, but I wanted to say a few words.

MR. CHAIRMAN: All right. Go ahead.

MR. JOHNS: My name is Ken Johns and I'm President of the Copper.....

MS. EAKON: Can you come up to the microphone?

MR. CHAIRMAN: Can you come up to the mike?

MR. JOHNS: My name is Ken Johns, I'm the President of Copper River Native Association. I'd just like to welcome the Board and the agencies who've come to this area. I'm proud to say that I'm somewhat pleased with how the Federal management have -- the implementation of regulations and how we are, as an organization, able to work with some of the Federal agencies. There's a lot of work to be done, there's a lot of bugs to overcome, but I think predominantly the Native people are happy with what the Federal people are doing, and I just want to welcome everybody here today and just enjoy yourself in the area. Thank you.

MR. CHAIRMAN: Thank you, Ken. All right. I don't know in which order you want to testify. I want to welcome you people that just came in. You should come up to the mike and state your name and maybe if you're representing any group, state that. Who wants to testify here first? Frank? Okay.

MR. ENTSMINGER: Yeah, maybe I could just briefly given an introduction.....

MR. CHAIRMAN: Entsminger.

MR. ENTSMINGER: .....and why we're here.

MR. CHAIRMAN: From Tok.

MR. ENTSMINGER: Yes, thank you, Mr. Chair, and Council members. My name is Frank Entsminger and I represent the Upper Tanana Forty Mile Advisory Committee. And basically why we're down here today is, you know, the Upper Tanana area feels that they have traditional use of portions of Wrangell-St. Elias. And over the past many, many years, ever since the park was created, we've been trying to establish the eligibility, the C&T eligibility, in Wrangell-St. Elias.

At one time, the community of Tok was eligible to hunt certain species in Wrangell-St. Elias, but because of some kind of quick and kind of, I feel it was unfair, decisions by the State Board of Game, they lost almost all of their C&T determinations up there. That is, they ended up being a resident zoned community of the park, but they no longer had any C&T usage for the various

species of animals. So basically they're a resident zoned community that really can't utilize the park. And we've introduced numerous proposals to try to get that changed, we went through all the different channels, and in fact, I think, at times we've sent correspondence with you folks, the Southcentral Regional Council, to try to get the problem alleviated. And we've just kind of been more or less put off all the time it seems like.

And, you know, one of the last efforts was when the Federal staff was trying to come up with the C&T determinations in the Upper Tanana area and they prepared, you know, a rather large booklet of the different communities and their customary and traditional use, and so on and so forth, but for whatever reason it wasn't accepted. And it's got to the point now where people are getting frustrated in our area. There's a lot of people that have real strong feelings that they have used the park in the past and they want to continue to use the park. But because of the law now, and I'm not blaming the Parks Service or anything, but there's, you know \_- people are starting to get cited for shooting an animal in the park when they don't have the positive C&T determination.

Basically, that's kind of why we're down here, to just talk a little bit about it. And if you have questions to ask of us, or that type of thing, that's why we're here. And I don't want to go on any further right now as, you know, it's customary to let your elders speak first. So Laura Sanford has come down to just, you know, give a little outline of her family's usage of the park. Laura lives in Tok right now. So maybe.....

MR. CHAIRMAN: Could I ask, Frank, before you leave.....

MR. ENTSMINGER: Yeah.

MR. CHAIRMAN: You're leaving? Are you going to just move over?

MR. ENTSMINGER: Yeah, I thought I'd just scoot over, if that's okay.

MR. CHAIRMAN: You said that the species that were not determined you used before, right?

MR. ENTSMINGER: Well.....

MR. CHAIRMAN: You're a resident zoned community? You come a resident zoned community? Is my understanding.....

MR. ENTSMINGER: Yes, right, yes. Well, the community of Tok was designated eventually as a resident zoned community, but some of the other areas, like Northway, which, you know, the SRC has been trying for many years to try to get Northway included in the resident zone. There are individuals in Dot Lake that claim they've had past usage, and Tanacross. Tetlin even has had some past usage.

MR. CHAIRMAN: So it's a combination? I'm just trying to understand what you're saying.

MR. ENTSMINGER: Yes.

MR. CHAIRMAN: For species \_ - it was determined you didn't have customary and traditional use for some species, even though you are resident zoned?

MR. ENTSMINGER: Exactly, right. We had to start with, but then the Board \_ - you know, when the State Board of Game started dealing with the subsistence issues, whenever a species would come up, they would to \_ - you know, a proposal would come up for a certain species. And one prime example is like sheep. I remember distinctly sheep \_ - there was a proposal in to change sheep to a full curl in Unit 11. Well, before the Board could discuss the species, they had to do a C&T determination on a community, if or not they used this, you know, as a subsistence species. And I mean, there wasn't even any of our people at the Board meeting because we didn't even know it was going to come up. But the State Board of Game just hurriedly decided that, no, Tok doesn't have any C&T for Unit 11 sheep, and they just disqualified Tok. They didn't have any usage for moose, they disqualified. And caribou. I think there still is a positive C&T for black bear, but I believe that \_ - you know, other than maybe a few birds, I think black bear, I believe, is the only thing that Tok has a positive C&T. Northway, Dot Lake, Tanacross, Tetlin, they never did have any positive C&T determinations. And, you know, this is one reason why the \_ - the government tried to go through the Upper Tanana and determine, you

know, the eligibility of the different communities. But it's just kind of been shelved for the time being, as far as I understand it. Does that clarify your answer?

MR. CHAIRMAN: Yes, I think so. I know \_ - I understand probably better than other Council members, but I just want to make sure that they understand it. There's two problems. One is with the resident zone for Northway and Tetlin, I believe. We discussed that before and we recommended that they be considered a resident zone by the Secretary of Interior. But this new problem, that's kind of new to me. I didn't know that you had that problem with the species. Gary?

MR. OSKOLKOFF: Just a question. You mentioned the other villages in the general area of Tok. Would you say in general that these villages have a pretty similar set of use patterns?

MR. ENTSMINGER: Yes, absolutely. All the Upper Tanana communities, in the past history there was quite a bit of travel and usage, especially of the north Wrangells, Unit 11, along the Nabesna Road. The fisheries along there, caribou hunting, sheep hunting, birds, that type of thing. I mean, it's all been documented and we've actually done a lot of individual research and tried to write down families that have had past usage and whatnot. And, you know, we just \_ - it just doesn't seem right that like somebody \_ - and I'm not pointing fingers or anything, but, you know, like a community in the Copper Basin, you know, Glennallen, Copper Center, any of these type communities can get in their car and drive up to the Nabesna Road, go out the Nabesna Road and, you know, participate in subsistence hunting. Whereas, you know, a person from Northway or Tok or Tanacross, they're not allowed to do the same thing. And it just seems pretty unfair to us because \_ - you know, I'm not saying that, you know, that's the only place that these communities hunt. Obviously, it isn't. But they have had past documented use of the area.

MR. OSKOLKOFF: You also answered my next question, which was going to be on area and access points, really. And I think \_ - you'd say the primary access is on the Nabesna Road? How about towards \_ - I'm very unfamiliar with the area. I've only been through there a couple of times. South of Northway on the highway there, is there.....

MR. ENTSMINGER: Well, for Northway, you know, they have to \_- you know, they have to travel the Alaska Highway and then the Tok cutoff, if they were to do it by motor vehicle. You know, there probably are portions of the preserve and park that they can hunt, you know, by riverboat, but it's primarily by vehicular travel, that type of thing.

MR. OSKOLKOFF: Thank you.

MR. ENTSMINGER: You're very welcome.

MR. CHAIRMAN: Ralph?

MR. LOHSE: Frank, don't Northway and Tok \_- can they also access it by snowmachine in the wintertime, too?

MR. ENTSMINGER: Yeah, I mean, this was quite common. You know, it's been for a long, long time that they do this type of thing, too. But, you know, it's a sad thing because when there's a law that says you can't do something \_- you know, most people are honest and they abide by the law. And so, you know, for quite a number of years now, you know, people haven't gone down there and utilized the resource because the law says you cannot do it. And it's just something that we're trying to get corrected. And, you know, I feel \_- you know, I try to put myself in your people's shoes. Obviously, you don't want to include people that don't have any legitimate right to hunt the resource, but, I mean, I would try to do everything I could if people have a legitimate use to make sure that they have this utilization.

MR. JOHN: Mr. Chairman?

MR. CHAIRMAN: Yes, Fred?

MR. JOHN: Tok is a resident zone, right?

MR. ENTSMINGER: Yes, it is.

MR. JOHN: Okay. I think I knew that and my concern was that Northway, and Tanacross, and Tetlin, and Dot Lake was not in the resident zone, you know. And I know since I've been on the

Board here, I'm trying to get them into the resident zone. I'm trying to push that, you know, agenda. But like what you said about certain species and everything that Tok couldn't hunt in the park. I didn't know that.

MR. ENTSMINGER: No, I mean, a lot of people didn't know that because it was kind of confusing. And I'm not real good on dates, but, you know, I could look in the records. But there was a portion of time that they were allowed to hunt. But when the State started determining eligibility as far as, you know, C&Ts \_- I think the State's views were they wanted to try to keep the C&T just as narrow as possible, you know, just try to \_- a small bunch of people hunting a small amount of critters type thing, and they had a real narrow mind when it come to, you know, C&T use. And they were real quick to designate communities a non-C&T determination. And like I say, I know when that happened in the \_- you know, has to do with Unit 11, it caught us completely unaware. There wasn't anybody at the Board meeting to stand up and say, well, hey, I mean, you guys are making the wrong decision or a bad decision, because we didn't even know it was an issue at the time. And they came down with no C&T use and basically excluded Tok out of the park.

MR. JOHN: You know, Frank, I'm from Mentasta. Frank's my neighbor. I know the history of Northway, Dot Lake, and Tetlin, you know, the Native people in that area and their use of the Wrangell-St. Elias, and I've really been trying to get them, you know, their right to hunt and fish in that area. So I really.....

MR. ENTSMINGER: Well, I guess our purpose here today is just \_- you know, like we're represented by Eastern Interior Council. You know, normally if we have a beef, we go to them. But this is kind of a different situation because we're kind of your neighbors to the north. And because it has to do with hunting in Unit 11, this is why we thought we probably should come down and talk to you people at Southcentral.

MR. CHAIRMAN: I was going to ask you, Frank, what was the action at the Eastern Interior Council meeting on this?

MR. ENTSMINGER: The Council didn't go along with this C&T usage here because I think they felt that there was a lot of



inaccuracies. Although it was a good start, they felt there were inaccuracies in it. And to be very honest with you, I think they felt that they wanted to try to get the people that have lived in the area a long, long time, they wanted to get their usage in the park. But I don't think they had real good ideas about newcomers, you know, hunting in there. And I think that's basically why they put it off. I might be wrong, but that was kind of the way I read it, you know.

MR. JOHN: Mr. Chairman, I think you were right on there. I think I went to that meeting. It was more \_- they put this statistical area, graph and everything, but there was no into the village question right from the original people \_- the older people and everything, there wasn't any really going into the depths of hunting out in the park area. I think that was one of the setbacks.

MR. ENTSMINGER: Right, and actually the document was put together, I think, basically, in the course of one winter, or maybe a little longer than that. And I'm sure there's some Federal people that could correct me if I'm wrong. But, you know, in that short span of time, I think they did a pretty good job, what they had to work with. But, you know, how can you cram all these years and years of use, you know, in one document in like, you know, basically one year's time. You've got to probe a little bit deeper than that.

MR. CHAIRMAN: Okay. Well, these other two that want to testify probably are going to talk about the same thing, right?

MR. ENTSMINGER: Yes.

MR. CHAIRMAN: So why don't we let them and then maybe we'll have some more questions after that.

MR. ENTSMINGER: Sure.

MR. CHAIRMAN: Laura, you want to be next? Welcome to our meeting, Laura. I haven't seen you in a long time.

MS. SANFORD: Thank you.

MR. CHAIRMAN: State your name and where you're from.

MS. SANFORD: My name is Laura Sanford. I'm originally from Tanacross, but I live in Tok about almost 40 years. And why I'm here is, I come with these guys here. I'm an elder myself now and I understand some things \_- our traditional ways. And what has happened the last \_- this fall to this lady from Northway. Her name is Darlene John. The season closed over our ways, around the Tok area, Northway area. So she knows there's a season open down here, so she come down here and hunting off the Nabesna Road. And she shot moose and then she went out there. That was on the flat. She went out there and she skinned the moose, and her husband was with her.

And then this car was stopped on the road, so they stop and \_- they skin this moose, they stop and they went out there to see what this guy doing. So they went out there and they asked this guy what he's doing, and then he said, oh \_- as they come in, he said, oh, hi, it's your lucky day today, yeah? And then she said yeah, it's my lucky day today. And then after they come out he talked to them and, oh, you parked your car and see your license and this kind of thing. And she show it to him. And after that, she \_- it seems like she make like everything was okay. So they don't think anything wrong, or anything like that.

So they went back out and they worked for this moose again. They skin it, they clean it, they have everything, and then they pack it out, put it in their truck, and then they left. And here the guy \_- and then he said it's on park \_- Parks Service, and this kind of thing. He wait for them where they come out from Nabesna Road, he wait right there for them. After all this hard work, and the lady was happy to get this moose, and then they went back and here he wait for them. He stopped them, he said that's not right because you're not resident around here, to kill a moose on the park. And this kind of thing. And then he said he going take that meat. So what could they do? They cannot say no. Today we say is a new world, that is for us. Our elders, this is today's new world. This case are only worst. And then they take all the meat, and then she have broken heart. We all have broken heart. We feel sorry for her. Summer season they work, that's all they do in summer season, they work. We never get treated that way. All my life, I never see something \_- such a thing like that. Nowadays, law this, law that. What could we do?

Same thing in Tok happened again. The lady shot moose and then here's Fish and Game, you shot that moose in dark, somebody said that. This kind of thing. When we got chance to get our food, we get it. I think they shouldn't \_- we shouldn't get treated that way.

I remember my brother Chief Andrew Isaac, my brother Abraham Isaac, they used to hunt at the Nabesna way, way up in there on the mountain, sheep hunting, caribou hunting, Paxson way, caribou hunting. Wherever we herd caribou, we go there and hunt. All over. I think they shouldn't tell us don't hunt here, don't hunt there. That's our traditional life. We got to have our own food. And then I heard that they have caribou fence right in Tok area. Our Indian people have a fence there, a fence, they have to chase caribou in. That's what they \_- they make a big fence. That is \_- us Indian people when we don't have no gun, we have arrow. That's what they have this fence for. They chase caribou in there, easy for them to kill those caribou with arrow. That's the way we used to live a long time ago, way before me, way before my dad.

Everything out of that moose or caribou, every bit of it we use. We don't even throw the teeth away. Even the feet, the leg, the head, everything of that moose, the skin, just everything. The skin is for their clothing, for their gloves or their mukluk, for their slipper, just everything like that. Even when I was middle age, I used to feel sorry for my elders. Now I'm elders like them and I know how they feel. I want my food as I'm getting old. What I raise with, eat off the land. Now spicy food I eat, I get sick from. All elders \_- not just elders, Indian people are suffering without their food. We just born and raised up here. We can say that's our land. Then the government come and push us around. You don't do that, that's law, you don't do this, you don't do that. What could we do?

I traveled through Canada, down to Dawson, down to Whitehorse. I see this Indian people up there. They have fresh meat and they have dried meat, like when I was a little girl I eat all that. And surprised me, all this good food. And then I get to talk with them. I said, geez, you guys have law around here to kill this moose, and that kind of thing. No. They said there's no law. They let us do what we want. We get our ducks, we get

our food anytime we want. I said, oh, my goodness, I wish that was us. I said, they don't let us do that. Oh, really, they said. How could they do that? You're Indian, you're born and raised up here. That's your land. Why? Why they treat you like that? I said, I don't know. And they shake their head. They said they shouldn't do that, really. And I agree with them.

We're not going to eat all the moose and caribou and ducks and everything, we're not going to eat them all. We know better. Our Indian people \_- when ducks going to have eggs, that's when they stop. When moose going to have baby, that's when they stop. They just don't bother some like that. Just like season open full-time, good meat, they get it. July good meat, bull moose. This kind of thing.

I know I raised with the dry food. Dry meat, dry \_- everything we get we dry, except little animal like rabbit and ducks and those kind of thing. And this woman. Again, I'm going to talk about her. What she going to do, this lady, what she hunted for herself. Us Indian people, if our brother die or sister, or whoever from family, we give gift away, feed people for three days after they die, or two days, or three. And then later, two, three years, then we start to think about we have to make party again, just like to let them go from there. So we make party over this member of one of the family. And that's what this lady, she going to do that with her brother. Her brother, she have only one brother. She going to do that on that \_- her brother. That's why she have broken heart when they took the meat away from her.

So it's kind of sad for that \_- they have to say this and that, or law, you can't do this, you can't do that. They really should let us use what our tradition need. Even our own Indian young people, I'm pretty sure they \_- we feed them like how my mom and dad used to feed us. They raised that way. I'm pretty sure they going to be hungry for their food, too. So we share, us Indians share. Share \_- I talk to these guys coming over, I tell them story how we used to share. Ribs, brisket, those are special food. If my dad cook ribs or something, if our neighbor is next door, my dad would put some in a plate or in a little bucket. Here, give this to our neighbor over here. That's how we share. If one kill a moose, they all share. Everyone gets meat, everyone that is in the village. Now you kill a moose, you get to keep. But

for law, you have to get your own moose, you have to get your own moose. But I see that some people still doing that, they give us little piece of meat. If they kill a moose, here, you cook this for yourself. Share.

Now I remember when I was little girl, Phyllis, she kill a moose, we don't have freezer, refrigerator, like right now. If they kill a moose, they make big feast. Everybody's out there just \_- just up and eating, enjoying themselves. That is our traditional life. And if somebody would hunt over Tok area or some places from around here, we can't say that you're from Cook River, don't hunt here. You go back to your country. This kind of thing. We cannot say that. We got to hunt in a place where we herd caribou, that's where we go. We got to get our meat. We got to share meat. Can't say you're resident, you're only one can get your meat here. This kind of thing. Indian givers say that.

So I just want to let you guys know that how we use our food, our Indian people \_- our traditional life. And I'm born and raised up here. In the woods, I raise. I see what people doing. I know how they take care of the meat. I know how they take care of the berries, and fish, and that kind of thing. So this is first time I come to meeting, and I'm glad I'm here and talk to you people.

MR. CHAIRMAN: Thank you, Laura. That was very interesting to me. Anybody have any questions or comments? We'll go ahead and let the next person testify and we'll have questions. Go ahead. You can sit there if you want to. We'll just move the chair up there. Danny Grangaard? Okay.

MR. GRANGAARD: A little background history, I've been living in Tok for 31 years, and up until 1980 I trapped for a living and hunted meat. And a lot of my activities back in those days was, oh, the Nabesna Road country and toward Northway. I lived 30 miles out of Tok then. And since then, since 1980, I've worked for the Department of Fish and Game.

But I was going to ask for a personal family permit, and endorsement from you, for C&T in the park. But yesterday morning I tried to start writing a letter to give you and see if you would endorse it, for the Board, and I found it very complicated, trying to remember back 31 years when I hunted the Nabesna Road and other

places in the park. And one thing I could remember, though, I shot my first moose on the Nabesna Road. But I was thinking that I should do that, but I think it's more important to represent the Upper Tanana community, Tok and all the other villages.

If I have that much trouble remembering and have to come down to testify in front of a Board, there's going to be a lot of people \_- if we don't qualify to hunt the park, and an individual family has to go try to qualify in front of the Board, there's going to be a lot of people in Tok, especially the Native community, that's not going to do it. They do qualify, but they aren't going to do this. It's just very complicated to do. I thought I could do it in a few minutes, and just trying to remember back that far, it's impossible.

The season closures \_- you know, I used to hunt consistently. I know \_- the herd \_- the Nelchina caribou herd, the '60s and '70s, they used to do the same thing they're doing today, cross by Chistochina, then the Nabesna Road. And then they'd kind of stall out on the Tok River. And I used to hunt there. And the bag limit then was three caribou, and in some years two. And then other years it was closed completely. And the Mentasta caribou herd, I remember the Tok people hunted the Mentasta herd more than they did the Taylor Highway herd. It was just as close and you didn't need a four-wheel drive pickup a lot of years to do it, to come and hunt down this way. The Taylor Highway back in those days was really hard to penetrate. So a lot of the Tok people, and the village people, came down this way to hunt.

I called a lot of people, trying to see if they wanted to testify on this today. We've been to so many meetings that people are burned out. They just don't want to do it anymore. We've doing this for, what.....

MR. ENTSMINGER: I can't remember how long.

MR. GRANGAARD: And the people that's got the best history of hunting the park aren't interested in coming anymore. They just think it's a joke, it's not going to happen. They're just wasting their time. I just feel when the State found Tok and the Upper Tanana communities no C&T on, it I think was a lack of effort put in it to go around to more families to get a C&T finding. And then a lot of the people, when they got questioned, when Terry Haines

did the census \_- or the questioning on that, a lot of people didn't realize the importance of elaborating where they did hunt. You know, a lot of them would say, well, I hunt around Tok, you know. But if you'd have really questioned those people about their past history of where they hunted, they would have went a lot further. I mean, they'd have been a lot more elaborate on the areas that they hunted then. Am I confusing you?

I guess what I would like to ask for today is an endorsement for all the Upper Tanana communities for C&T in the park. Tanacross, Northway. Tok is a high mixture of people. There's a lot of non-Natives that live in Tok, from every village. And Mr. John, I'm sure you realize that. There's people from Northway living in Tok, there's people from Tanacross live in Tok, Mentasta. And then vice versa. Live down towards Chistochina. So with all the Native people that live in Tok, if Tok gets excluded there will be a lot of Native people in Tok that won't qualify for this. Sure, there's some newcomers to Tok, but every community's got newcomers that probably shouldn't qualify. I don't care what community it is, unless it's really a road community. I just feel like Tok and all the villages around there have had past history, especially in the Nabesna Road country, on sheep hunting, moose hunting, and caribou hunting in particular.

I can remember 20 years ago or so, there was a couple of fellows who went sheep hunting in the Northway Road and got arrested because they shot too small a sheep. Not arrested, but they got a ticket. There is past history down there, a lot of it. It's not documented very well, though, I don't think.

MR. CHAIRMAN: Thank you, Dan. And thank all three of you. Are there any comments or questions? Gary?

MR. OSKOLKOFF: Just a couple of questions, maybe give me a sense of what's going on. It's been a few years since I've been through Tok. How many people are living in Tok now? I should tell you, too, we had a pretty good primer on that area, and I don't know how many years it's been now, it was awhile ago, but gave us quite a bit of information, the breakdowns and whatnot, but, frankly, for the life of me, I just can't pull it back into my head.

MR. GRANGAARD: How many people?

MR. OSKOLKOFF: Yeah, just roughly.

MR. GRANGAARD: I think it's about 1,200, isn't it?

MR. ENTSMINGER: Yeah, it's less than 1,500 people.

MR. GRANGAARD: It varies in the summer and winter, but that's life.

MR. ENTSMINGER: Yeah.

MR. OSKOLKOFF: I'm sorry, I can't seem to remember my second question on that.

MR. CHAIRMAN: Could I ask? I'll just make a comment while he's thinking. That is, when I got appointed to the Wrangell-St. Elias Subsistence Resource Commission, and that is one of the first things that I really noticed was that Northway and Tetlin were not a resident zoned community. And I harped on that for several years now. Every meeting we had, I said something about it. I believe there's a movement to correct that, but it's a slow process. Like I said earlier, C&T determinations for species for the other communities, I didn't know that, I didn't know that you weren't eligible to hunt for certain species over there, even though you were a resident zoned community. That's kind of new to me. I think that's wrong myself, personally. Gary, have you thought about it?

MR. OSKOLKOFF: Yeah, thank you, Mr. Chairman. You've given me a chance to think there for a minute. I'm operating on low gear, apparently, here. Has there been hearings in Tok or in the area, that are held in the area?

MR. ENTSMINGER: Many.

MR. OSKOLKOFF: And what's the general tone of those meetings? Are they split? Are people split about being included in \_- are able to use the park, or are they \_- is more one way or the other way? Could you give me some sense of what's been said?

MR. GRANGAARD: Oh, no, some of our first meetings, 60, 80 people attended them. And every meeting since then, it's been



less and less. Now you go to a meeting and a couple, three. No, the community at the start of that was really behind this, and they turned out in big numbers when they had the first meetings about the C&T and all that. Well, right off the bat, Tok was C&T, we hunted the park. I hunted the park. The State found us not eligible, and then that's what the Parks Service adopted at that point.

MR. ENTSMINGER: The Federal just, you know, endorsed the State regulations that.....

MR. GRANGAARD: The State regulations. So the State's what's really has knocked us out of there. It isn't the Federal regulations for Tok. But for like the Northway, Tanacross, see, they had never qualified even then.

MR. OSKOLKOFF: I ask because it's kind of a curiosity to me, coming from the Kenai Peninsula where small towns even literally showed up in number and argued quite passionately that they should not be included in any subsistence hunts.

MR. GRANGAARD: No, that's not the.....

MR. OSKOLKOFF: I was curious if you had a \_- if it was a vast majority one way or the other way.

MR. GRANGAARD: I never heard one person say the other way.

MR. ENTSMINGER: No, right.

MR. GRANGAARD: Not even one.

MR. ENTSMINGER: Yeah, all of the Upper Tanana communities are, you know, definitely rural communities and they're used to living off the land type thing. And it's just \_- you know, we've never heard any people say that they shouldn't use Federal resources.

MR. OSKOLKOFF: If I could add one more comment.....

MR. CHAIRMAN: Could I ask one question? Process wise, Helga, do we consider these from the other regions?

MS. EAKON: I'm going to have to enlist the help of Bruce Greenwood regarding your question.

MR. GREENWOOD: Could you repeat the question, Roy?

MR. CHAIRMAN: I was just wondering whether this should be our agenda item, from another region, from a different Council region?

MR. GREENWOOD: This actually gets into the update on C&T. There's several proposals that are on record right now, they're backup proposals to fur proposals both from this region and from the other region that would alleviate a lot of these concerns once the C&T analyses and the decision is made on those different proposals. So it includes both regions.

MR. CHAIRMAN: We could be included in making recommendations?

MR. GREENWOOD: Yes, definitely.

MR. CHAIRMAN: All right. That's all I wanted to know. Jay?

MR. WELLS: Yeah, Roy, I'm Jay Wells. Just to help Frank and Danny out, I think their frustrations is that this C&T decision was made by the State in, I think, it was '88, maybe '89. And ever since that time, they've had a proposal in to change it through Slana Alaskans Unite, and it's been going on for six years now. That document that Frank had was one of the first attempts to define the customary and traditional use of the Upper Tanana region. And when that C&T process fell apart over the Kenai Peninsula, that sort of fell by the wayside. But there are, I think, two proposals on the books right now that are supposed to be acted on this year by the Federal Board dealing precisely with this customary and traditional use of those communities in Unit 11, which if they did give those communities C&T use, the Board, that would alleviate their concern.

There is also a separate issue with the resident zone with the Wrangell-St. Elias, and that's a completely separate issue,

but I think we're well on the way of solving that one by writing a rule right now that would add Northway and Tetlin and Dot Lake to the resident zone. But even if they got that, they still need to have a positive C&T from the Federal Board.

MR. CHAIRMAN: Frank, did you have an additional comment?

MR. ENTSMINGER: Yes, Roy, I think what basically we're asking here is, you know, there are several proposals that will be forthcoming for a positive C&T for the Upper Tanana area, and we're just kind of looking for your endorsement on it, as well as Eastern Interior Council, because I know you're a direct line to the main subsistence board. And we actually plan on submitting a couple more proposals. I believe the deadline is October 25th here. See, our Advisory Committee hasn't even had a chance to meet yet this year, but we've got a meeting scheduled on the 17th and we're going to draw up a couple other proposals that we'd like to get C&Ts on for park usage of animals.

MR. CHAIRMAN: Yeah, thank you, Frank. Did you have a comment, Helga?

MS. EAKON: Yes, is your time limited? Are you going to attend the rest of the day, or do you have to go back straight away?

MR. ENTSMINGER: Well, Laura has to be back in Tok to go to work this afternoon, so we'll probably be here during lunch and then, you know, we could stay around for.....

MS. EAKON: We do have an agenda Item 9(F), the update on customary and traditional use determinations, which are going to be reviewed by Bruce Greenwood. And I think if we make this the next agenda item, a lot of your concerns will be alleviated, as Bruce explains what's in the hopper on these proposals.

MR. CHAIRMAN: Is there an objection to proceeding that way?

MR. LOHSE: I move that we do that.

MR. CHAIRMAN: All right. There's a motion. Is there a second?

MR. JOHN: I second.

MR. CHAIRMAN: For discussion on the motion? All in favor say aye.

IN UNISON: Aye.

MR. CHAIRMAN: Opposed by the same sign? Motion is carried. I want to thank all of you \_- did somebody else have their hand up, too?

MR. GRANGAARD: Can I say just one thing? Another hunt that \_- or a place that we have got I don't think probably fairly, especially Tanacross, is that back when the Nelchina herd starting coming, Dave Kalahels (ph) in Tok decided that he was going to make a subsistence hunt for Tetlin and Northway, for caribou when the herd come. But that herd was not that big then and Mentasta was doing poorly, so we allowed a 50 hunt for caribou for Tetlin and Northway. Well, since then, that has all changed. The Nelchina herd is coming in vast numbers, and we're harvesting 500 animals out of that herd now. But still, to this day.....

MR. ENTSMINGER: No, they corrected that last year, Danny?

MR. GRANGAARD: Huh?

MR. ENTSMINGER: They accepted our proposal last year. That's been taken care of.

MR. GRANGAARD: That Tanacross qualifies for the \_- when did this happen?

MR. ENTSMINGER: Last year. All the Upper Tanana communities have a positive C&T on that now.

MR. GRANGAARD: Oh, I didn't realize that. Sorry, forget about it.

MR. CHAIRMAN: All right. Well, let me make this comment while you're all there, and that is I understand the situation very well. Like I said, at different levels I was sticking up for

Northway and Tetlin and you people up that way long before, you know, all these uses came up like they are today. I understood the problem before, you know, anybody talked about it. I was wondering why didn't people talk about this from up that way? There was a problem. I from down here brought it up and said, hey, we've got to make those areas \_- communities resident zoned. I mean, I know that from our own Native history, we know that those people up there have intermarried, have hunted in that area, and a lot of our friends, relatives from Mentasta are from up in that area. So, I mean, we know that. We have fairly good \_- at least I do anyway, I don't know whether it's written down anywhere, but history of people using that Wrangell-St. Elias area. It just makes sense that you go where the game, you know, are any time, any given time. And over the years, I know that the Northway people, Tetlin, if they're in that area they had to use that area there. I knew that. So you have somebody here on your side. I hope that this resolves to your advantage. Anybody else have any comments about this before they \_- I guess we'll just go ahead and proceed.

MR. LOHSE: Thanks for bringing it back up.

MR. ENTSMINGER: Thank you for your time.

MR. CHAIRMAN: Okay. So then we'll bring Bruce up here.

MS. EAKON: Mr. Chair, before Bruce makes his presentation, may Annalisa and I have a quick bathroom break?

MR. CHAIRMAN: All right.

(Off record)

(On record)

MR. CHAIRMAN: I'll call the meeting back to order. What we're going to have is \_- I don't know exactly. Which one are we on here, Bruce? If you'll tell me what.....

MR. GREENWOOD: 9(F).

MR. CHAIRMAN: Pardon?

MR. GREENWOOD: If you'll refer to 9(F).

MR. CHAIRMAN: 9(F). Okay. Update on customary and traditional use determinations, and this is by Bruce Greenwood. Bruce?

MR. GREENWOOD: If you refer to the sheet in your notebooks, it might be easier to follow. What I'll do is, I'd like to go through \_- give an update on the customary and traditional use determination proposals that Fish and Wildlife Service intends on working on in the next year, two years. This is a little bit complicated. We're dealing with two different regions, and a deferred proposal and backlog proposals. So what I'll do initially is go through Region 2, or the Southcentral Region proposals, and then Region 9 proposals.

In summary, there's six proposals that deal with this particular area that these folks have just talked to you about. These six proposals deal with both regions, so both regions will have to be actually involved in the proposals.

The first one we have is a deferred proposal. Last year, a proposal was submitted to the Federal Subsistence Board. But due to a lot of workload, particularly in the Kenai Peninsula, this was deferred until this year. As noted there, it sets the first priority. So it's sheep in Unit 11. This particular proposal is a consolidation of about eight other individual proposals that have been made over the last several years. I believe this is one of the ones that Frank was referring to regarding Tok having C&T for sheep in Unit 11. When this proposal is analyzed, the questions that he has brought the Board will be answered. Another note on there, it shows NPS as the lead. The lead on this will be the Fish and Wildlife Service with the NPS actively participating in the analysis.

The next proposal is caribou. It mentions Unit 13. It says Units 11 and 12 were done in '96. That is incorrect. It was not completed in '96. So this proposal would cover caribou in Unit 13 and in Unit 11. Caribou in Unit 12 will be covered in two other proposals that I'll discuss later.

The next proposal is moose in Unit 11 and 13. This would be proposed that residents of Unit 11, 12, and 13 have C&T use of moose in both of these units.

The other ones regard Unit 6. I will omit those. There's also some C&T for Unit 7 and Unit 15(A). We discussed that earlier. I'll also not go through that line by line. The other one that we have that regard this Council would be goat in Unit 11. And Fish and Wildlife Service will also take the lead on that proposal. And the last one is fur bearers in Unit 13. This is primarily the area around Denali National Park and the western portions of Unit 13.

Now there's some proposals from Unit 9, from Region 9. There's caribou in Unit 12. This might not be in your books, by the way. Caribou in Unit 12, sheep in Unit 12, and moose in Unit 12. Brown bear in Unit 12, grouse and ptarmigan in Unit 11 and 12. Most of these proposals were submitted by Slana Alaskans United and other people within the Tok and this area. Are there any questions on that?

MR. CHAIRMAN: I don't have any questions, but I'm not too clear on some of this stuff. Yes, Ralph?

MR. LOHSE: Mr. Chairman, I notice that right after the section that he just carried us through is Proposal 56 and 57, which have \_- which are put in by the Copper River Native Association and the Upper Tanana/40 Mile Fish and Game Advisory Committee, which I guess \_- oh, they only address caribou and moose in Unit 12, not Unit 11. My fault. I'm sorry. I jumped ahead of myself.

MR. GREENWOOD: Yeah, Mr. Chair, I was going to cover Proposal 56 and 57 after we had covered these other C&T proposals. It's somewhat of a separate issue, although it's very closely related.

MR. LOHSE: I just happened to see the names of the communities that we've been talking about being added to it. And I didn't bother to look to see the 12. Sorry.

MR. GREENWOOD: What we have in there, we have the Region 2 \_- some of these will be completed concurrently with Region 9.

There's two different staff that work within Region 2 and within Region 9. So it will most likely be done concurrently. At this point, I'm not sure, on the workload we're going to have for this year, whether \_ - I know sheep in Unit 11 will be one that's address. And the other ones that I listed, if they aren't completed this year, I would anticipate they would be completed by the end of next year. But I know it's a very high priority for Fish and Wildlife Service to clear this backlog of C&T proposals up so we can go on and only have to address the new ones. And there's more than attention, it's a high priority to do that. So I don't think we want to guarantee, though, that it'll be done this year, but they will be completed as soon as possible.

Regarding Proposal 56 and 57, these proposals were submitted last year. Proposal 56 is for Unit 12 caribou, for the Nelchina herd. This is for the residents of Northway, Tetlin, Chitna, Cooper Center, Chistochina, Gakona, Gulkana, Mentasta and Tazlina. Proposal 57 is for the Unit 12 Nelchina herd, residents of Unit 12 and 20 east of Johnson River.

The former that I presented regarding the Ahtna communities, it was submitted by the Copper River Native Association. Concerning residents of Unit 12 and 20(D) east of Johnson River was submitted by the Upper Tanana/40 Mile Fish and Game Advisory Committee. I believe an analyst last year, George Sherrod, when he reviewed these, he came with quite a few problems, and very detailed problems, concerning the caribou management in these areas. And he recommended that it be deferred a year, allowing him time to go into communities, do more detailed work and come up with further information for the Councils.

Last year, the Eastern Interior Regional Advisory Council chose to defer Proposal 56 and support Proposal 57. This Council chose to defer Proposal 56 and defer Proposal 57. The Interagency Staff Committee took this under advisement and what they did is they directed the staff to prepare an analysis that identifies the use of caribou on public lands by residents of Unit 12, to develop a proposal for revising the customary and traditional use determinations for the '97-'98 regulatory year. They were going to present the analysis and proposal for consideration at the fall '96 meeting, that was this meeting, was the intention to do. And then the analysis would consider identifying the C&T by harvest



area rather than by herd.

Due to extenuating personal circumstances, George was unable to do the work required before this meeting. So that's the reason why he's not able to present this information. What the staff would like to do then is to defer that until next year, which would allow him further time to get into these communities and do the work he needs to come up with the information to present to the Councils. The result of this would be \_ - the result would be a resolution of the caribou in Unit 12 and possibly in Unit 13 also, since the Nelchina herd does inhabit Unit 13.

MR. CHAIRMAN: We didn't consider this before, right?

MR. GREENWOOD: You considered Proposal 56 and 57 last year.

MR. CHAIRMAN: All right. Okay.

MR. GREENWOOD: And they were deferred, based on George's recommendation.

MR. CHAIRMAN: So the process from here on, if we just continue and recommend it, how would it \_ - when would it be acted on? At the December meeting you say?

MR. GREENWOOD: Proposal 56 and 57 would be most likely acted on not this year, the following year.

MR. CHAIRMAN: Both of this, 57 and 56?

MR. GREENWOOD: Right, yes, yes. However, this year the ones that would be worked on first will be sheep in Unit 11.

MR. CHAIRMAN: The reason I asked that, is that because you're going to have to do additional studies, or something, because you're changing from customary and traditional use harvest rather than by herd, or something? You said that at the end there?

MR. GREENWOOD: Yes, that's one of the things that George wants to review, is to change the determination from a herd to a Unit. In order to do that, he has to.....

MR. CHAIRMAN: That'll require additional information?

MR. GREENWOOD: Yes, more information. And there's some other concerns, there's other inconsistencies within that C&T determination that he also wants to work out. And like I said, he did intend to do it this year, but he wasn't able to do it. And he plans on working on that within the next year and having that information for you a year from now.

MR. CHAIRMAN: I do have a problem with that, as far as the time goes. Is there no way to speed that up?

MR. GREENWOOD: I'll defer to Rosa on that, since she's.....

MS. MEEHAN: Rosa Meehan, Fish and Wildlife, Office of Subsistence Management. It's our intention to get this \_- what's stalling the process right now is we need additional information to sufficiently address these proposals. And as Bruce was saying, we had every intention of gathering that information and being able to address that at this meeting. And unfortunately, due to a severe illness in George's family, the way that we would normally go about getting the information, we just were not able to do that. And so, we're sort of set back and we're looking for another way to gather the information. If George's situation is resolved, we're hoping that he will be able to do it and will be able to address this information at the next meeting with the appropriate information so that we can deal with these proposals. If that doesn't work, we're looking for other ways to try and get the information. And so we can't say for certain right now when we're going to have the information. Our intent is to do it as soon as possible, and we're hoping that we can get the information so that you'll be able to discuss these two proposals at the winter meetings. That's our goal, but we can't \_- that's what we're going to shoot for.

MR. CHAIRMAN: Gary?

MR. OSKOLKOFF: Mr. Chairman, I'm concerned that we're down the road quite a ways from when we deferred some of these proposals, and we're talking a year, and possibly another year,

on some of these things. It doesn't seem like the backlog is getting any smaller at this point, at least not from my perspective sitting here rolling the synopses of these proposals back and forth. And I'm very concerned for the user, the subsistence user, that we're not giving fair deference to the hardship, perhaps, that brought them to submit these proposals, and we keep deferring.

I'm also a little concerned that we don't have a \_- that the plan doesn't sound very definite. I like, I hate to say it, timelines and specifics when dealing with something like this because I have to answer the public not only in my own area, but in other areas, as to exactly why this proposal couldn't have been enacted on. I understand that we like to have as much information as possible and it's nice if it's current and voluminous, if you will, but I think at some point we have to make a cut. And as I stated before, to me, people have a reasonable expectation of getting their proposal acted upon. Some of these proposals are \_- or have been in the past, at least on a limited timeline, dealing with concerns that were somewhat immediate. And I'm just very concerned.

I don't know exactly what we could do to resolve this, but I don't like seeing this late in the game the word deferred every time I come up to these things again. And I know we have taken action to defer these things in some cases, but it was to gather more information. And a year later, you know, there's still not a real hard body of evidence out there for us to work with. I think at some people we just have to make a cut, we have to make a decision here, based on the knowledge that we have contained in the Board and perhaps the somewhat limited information that we do have. And I would just suggest that we do two things, look at ways of doing that and, secondly, try and define more in concrete terms exactly when we're going to cease deferring these specific proposals on a case by case basis, if that's possible.

MR. CHAIRMAN: I believe somebody has their hand up.  
Gloria?

MS. STICKWAN: I have a question \_- you were going to change.....

MS. EAKON: Can you come forward, please?

MS. STICKWAN: You said you were going to change from a herd to a unit for determination? Is that what I heard him say?

MR. CHAIRMAN: I'll ask Bruce to explain that.

MS. EAKON: We need to have you come to a microphone so we have it on record, please.

MR. CHAIRMAN: Yeah, repeat your question for the record.

MS. STICKWAN: I thought I heard him say that he was going to change from a herd to a unit for determination. I was wondering why they were going to change from a herd to a unit, and why can't we keep both of the herd and unit as a determination, both, because I don't know why we can't keep both.

MR. CHAIRMAN: All right. Bruce, can you explain what's going on here?

MR. GREENWOOD: I'll do the best I can to explain George's thoughts behind that. I think what Gloria is saying is a possibility also, but what George was coming from is that he felt that traditionally caribou and animals were harvested by \_- you know, within a certain area around a community. So they're hunted in a geographic area versus in a herd. So he felt that it was more indicative and representative to have an area of use, which people harvested animals in, versus an actual herd. And that was the thought behind \_- what I understood why George wanted to go that way. In other words, the people within.....

MR. CHAIRMAN: I have a problem understanding why, I mean, that would change anything much. I mean, caribou \_- I mean, you do it without regard to a herd, still it's caribou and, to me, that doesn't make any sense.

MR. GREENWOOD: I don't think it would change too much and I would \_- if George was here, I'm sure he could give you much more detail, the technical reason why, but I understand \_- like the Nelchina herd may range as far as Subunit 13(E), which is why Cantwell \_- and the people within this area, even though they hunt the Nelchina herd, they may not travel to Cantwell to hunt caribou. They would do it within this particular area. And if they have

a herd-based determination, they would have C&T use within 13(E). I think that's one example.

MR. CHAIRMAN: Okay.

MS. MEEHAN: Mr. Chairman?

MR. CHAIRMAN: Yes.

MS. MEEHAN: To address some of Mr. Oskolkoff's concerns, it's our intention to get as much of the backlog done as absolutely possible. And many of these proposals that Bruce went through, we have every intention of completing the analyses on these and completing them this year. There are two that require \_- in our opinion, require additional information, and those are two that we're just not comfortable committing to a specific timeline on right now. But we are going to try and get them done. And so I just wanted to keep it clear that we do feel we're making significant inroads into the backlog, and do plan to get a number of these off the table this year. But there are two that we've got \_- we see that there's some serious concerns here and we want to make sure they get addressed.

MR. GREENWOOD: And to add to that, Proposal 56 and 57, within this area, George Sherrod has quite an expertise and I think it's believed that he would be the person best to work with that because of his background and knowledge of the area.

MR. CHAIRMAN: Ralph, go ahead.

MR. LOHSE: I'm just like Gary, though, I've got a problem with putting things off because what you do is you just basically say that those people don't hunt in that area for another year, or another two years, or however long it takes us to get around to it. I would have a lot more confidence in this system if what you did, if those were contested things, if you would allow those contested residents to hunt until you find a determination that says they're not eligible. And instead of leaving Tok and Northway and Tetlin out, let them in until it's been proven that they shouldn't be in there. Because what happens is every year that you leave them out, that's one more year they don't get to use it. I wish there was some way that we could do that. I mean, some of

these proposals, they're legitimate proposals, they've been in front of us, they've been going on for a long time. My feeling would be, I would rather err on the side of being too inclusive than too exclusive until enough information was given to me that somebody shouldn't be allowed that. And I just was wondering if there was any way we could do something like that, if there's any way that we can recommend that they have a temporary status until it's shown that they don't have customary and traditional.

MR. CHAIRMAN: I just want to say I agree with you. I think we ought to look for ways that we can get around the problem we're having here and allow those people to hunt. If we can't, I don't know. I don't know what's holding it up. If there's some agency people that can make a comment that can help us, please help us, but I will recognize Frank here, he had his hand up here. Did you have a comment, Frank?

MR. ENTSMINGER: Yeah, one comment that I wanted to bring up is that, you know, we've been dealing with this C&T process in the Upper Tanana for quite some time. And, you know, the government is always wanting to put everybody in a little box, you know, that this area traditionally hunted, these animals, and you can't go out of your little sandbox type thing. And, you know, I think tradition, if you start reading history and your people's past knowledge of your families and whatnot. I know that I've talked with Fred John, Senior, and there's been times when they've, you know -- game has been scarce in an area and they've actually moved villages, or he's moved his family to where the game was. And if you start restricting people so severely that -- I mean, you're almost making sure that within a short period of time, this area's going to get hunted out. Whereas, if you let people have a little bit more liberty for going where the game is, especially when you start talking about Wrangell-St. Elias, where there's so much restriction, there's so much access restriction to get at the resource.

I mean, if there's a group of people that can access a given population of animals and they've hunted there for years, why not let them continue to do that? I mean, instead of saying, well, this group can only hunt this part on the map. Well, you know, maybe basically that area, that's generally where they hunt, but there's always individuals that go a little bit further and get

into other areas. And if a person starts hunting moose along the river or something, and, you know, maybe the lower part of the river, there's a lot of usage there. So maybe some day somebody wants to go a little further upriver to see if there's some more moose up that direction. If you start restricting people to these little sandbox areas, it's a bad thing. I certainly don't agree with it and I just wanted to caution the Council for undue restrictions because, like I say, you're almost guaranteeing you're going to have a problem. The more liberal you can go, the less problems you're going to have for wildlife usage, the more options people will have. That's all I have to say.

MR. CHAIRMAN: Did you have comments, too?

MR. GRANGAARD: I guess the information part, they want more information. We have wrote pages and pages of stuff on why we qualify and had I don't know how many meetings, but it's been a lot in the last few years. I think the information has been out, it's been discussed. Could I ask a quick question? What information are you looking for?

MR. GREENWOOD: I'm not sure exactly what George is looking for, but what he has to do is he has to \_- he wants to sort through all the present information. There's a lot of information, and he recognizes that. He wants to sort through the information and then, I believe, talk to some people in the community about their actual use areas, where they actually use the.....

MR. GRANGAARD: Well, what happened to all the 20, 30 meetings we had in Tok? I mean, we discussed that over and over and over. Why isn't that enough?

MR. GREENWOOD: Well, I'm actually speaking for somebody else right now, so I'm not exactly sure what George needs. You know, he's a professional anthropologist, and he feels that he has to take the information he has and do some clarification of it. There's a lot of conflicting information regarding these caribou herds and who actually hunts them. So I think a lot of this question is more for clarification than more new information.

MR. GRANGAARD: You mean, that has not been ever

discussed?

MR. GREENWOOD: Well, I think he wants to take the information that is presently available and review it. And I could give you \_- the proposal \_- I could list a few concerns he had from last year's proposal, if you'd like me to do so. Some of his four or five basic concerns. If that would help alleviate some of your concerns or questions.

MR. GRANGAARD: I just feel like that the information has been discussed so many times throughout the villages, the Upper Tanana communities, that \_- all the meetings we've had, we went over and over this, and we're going to go over the same thing again. I feel that all the Upper Tanana villages and Tok feel that they should qualify for moose, caribou, and sheep in Unit 11. And they would like an endorsement on this, without \_- you know, we've been dragging this on now for a lot of years. We qualified once, we got knocked out. I guess I'd like to see, like Ralph said, some kind of endorsement for moose, caribou, and sheep hunting in Unit 11 until more information can be gathered. I think Ralph has a good idea. In the meantime, I think we ought to move forward. Thank you.

MR. CHAIRMAN: Could any agency help us here from National Parks? Can we get around that? Do you have some kind of emergency regulations or something?

MR. HOLLIS: 50 CFR has a provision that only deals with national park lands, where there is a provision where an individual can apply for an exception to an existing C&T. So if you have a negative C&T for use of a species, and there may be an individual or a family that could be excepted from that. There is a provision for that to occur that only is effective on national park lands.

MR. WELLS: Roy, that decision apparently \_- it's never been exercised before, but apparently still needs to be made by the Federal Board.

MR. CHAIRMAN: That would be kind of, like you said, an individual thing? Can it be.....

MR. WELLS: That would be an individual or a family



exception to a community C&T finding, like what we're talking about here in Tok. And I only have one case where that's been attempted, and the individual was from Cantwell, I believe, and ended up moving out of State, I guess.

MR. CHAIRMAN: Okay. Thank you. I do want to know if \_- another question for anybody. We can make a recommendation that we endorse this proposal, that we try to get this proposal, I guess, considered by the Federal Subsistence Board as soon as possible. Something like that. Something to that effect?

MR. GREENWOOD: Mr. Chair, a point to make?

MR. CHAIRMAN: Yes.

MR. GREENWOOD: I'm a little bit confused. At this point in time, are we talking about Proposal 56 and 57, are we talking about sheep in Unit 11? I think there's some confusion on what we're actually discussing at this point in time. I think it'd be important to clarify that.

MR. CHAIRMAN: I don't know what others are thinking, but I'm thinking about both as far as just kind of generally we're trying to move proposals along, I believe. Somebody feel different?

MR. OSKOLKOFF: Mr. Chairman, I agree. I think that we're \_- right now I'm thinking of 56 and 57. I wasn't referring to the other proposals for the time being. But I think there has to be a limitation to our banterings about \_- not only for the people. They're the primary concern, that's what 99 percent of my concern is, but how many times are we going to bring this up? And how many times are we going to have to defer it because we don't have specific information?

I think we have a lot of information here. We've heard the information for years, essentially from Fish and Game reports and whatnot on these areas and on the herds and whatnot. I would like to go along with what Roy suggested, perhaps. What I would like to do is have a mechanism where we could adopt it and get it \_- since we're making a recommendation only to the Federal Subsistence Board, we could get it to the Federal Subsistence

Board. That would give some time for the staff to get information to the Federal Subsistence Board, if they feel that there is something wrong in the proposal especially that needs to be brought up, some glaring error or omission that we didn't get to. But I really think that there needs to be a mechanism in order to push these things through.

I firmly believe in time limits for the government as well as for the people. We have certain times or deadlines, we have to get these proposals in from the individual basis, just like you have to file your taxes on a certain day. But for some reason, the Federal government, or the State government, or the court system, or whoever you're dealing with at the time has no such limitations in a lot of cases. I'm an advocate of having a clear-cut idea from the very beginning of what the response is going to be from the government and when the person can expect that their proposal is going to be acted on, and not deferred and deferred for more information. Because if we're deferring it for more information, what happens when an individual comes in or a group and says, well, listen, I know you want to vote this proposal up, we want to vote it down and we have more information forthcoming, we'd like to have this thing further studied, so we'd like you to defer it, too. If we're going to start deferring for those things too much, then I \_- you know, if you just carry on. And I'm really concerned with that, I'd really like to have some mechanism to resolve these things.

MR. CHAIRMAN: Ralph, do you have a comment?

MR. LOHSE: Mr. Chairman, I'd like to go along with what Gary said there. I sometimes think we get buried in information when common sense, and common knowledge, and knowledge of the situation's already given us the answer. And we spend our time sifting through volumes of information, and listening to information, and waiting until information is collected, when we really know what's right and what's wrong in the situation to start off with. And I'd like to have some way that we could \_- you know, I kind of agree with Gary. I mean, I would like to say, you know, I want to support these people, I want to support their \_- because just common sense and knowing the people tells me that they have hunted in that area. I'd find a C&T for them. And if the government can dig up information to say why they can't, they can

take it to the Board. But I'd like to send it to the Board with our recommendation that a positive C&T be found for them, you know, and instead of us having to go back over it, and go back over it, and get some more information on it. I mean, that would be my personal way of handling it.

MR. CHAIRMAN: That sounds great to me. My question earlier, is this \_- is there a problem with that, from anybody's standpoint?

MR. GREENWOOD: Okay. Now I just want to clarify. We're talking Proposal 56 and 57 from last year. Yes, this Regional Council can.....

MR. CHAIRMAN: Are we, Ralph? Your comment?

MR. LOHSE: That was one of them. The other ones, to me, the deferred proposals that we've had in front of us for quite a few years, that the information hasn't been collected on, that we have a personal understanding on. At least, members of the Council have a personal connection with, things like that. We could at least make a recommendation on them to the Board and let their staff get all of the information to present to the Board that they want, but we'd be making our recommendation based on our personal knowledge and our \_- I don't like to use the word, but our common sense.

MR. CHAIRMAN: Okay. We'll give you specific proposals and all that when we have a motion.

MR. GREENWOOD: Yes, exactly.

MR. CHAIRMAN: I'm just trying to get things squared away here. There's people that \_- can I recognize Gloria back there first? Come on up, Gloria.

MS. STICKWAN: For the Proposal #56, to have it deferred. I'd rather not have it deferred. We have a customary and traditional study in our area, and it shows from the study we did that we have used the area. We have maps to show that we use that area. And I don't know why that isn't enough evidence. We've given this report to NPS that shows the areas that were used by

these people and these villages.

MR. CHAIRMAN: All right. Thank you, Gloria. Frank?

MS. STICKWAN: Is there a question as to why? Why is it not accepted?

MR. CHAIRMAN: He just explained there a little while ago. This individual that's sick \_- or a family member sick? Had some information that they wanted to share with us, I guess, but couldn't be here today. And that's basically it, I guess.

MR. GREENWOOD: I'll clarify that. Due to family illness, George has been unable to do a lot of work the last several months, otherwise this would have been done. You would have had this information this fall, at this meeting, had it not been for extenuating family circumstances and this individual unable to do the work on it. And that's the reason why you don't have the information presented to you.

MR. CHAIRMAN: Well, I think we have a sense of direction here from our side. Go ahead, Frank. Why don't you.....

MR. ENTSMINGER: Yeah, just one last comment I wanted to bring out, and I'm sure probably most of the Council members are already aware of this, but, you know, it almost seems like, you know, the resource is the bottom line, and if, you know, like too many people are using the resource, which I don't think is the case in this case, but if such a thing happens there's already built-in provisions in ANILCA that then it goes down to the very longest users of the resource will come first. And that's already been enacted upon as far as the Mentasta caribou herd is concerned. But, you know, until a resource is showing signs of overuse, I don't think there's a problem with people having, you know, the usage of that.

There's built-in emergency closures. Like if the Parks Service thinks that a sheep population, or a caribou population, something's getting over-hunted, they come to the SRC and we make a recommendation. And that goes on to the Board and end up getting closed. There can be emergency closures. It's not like once you open this up, you can't close it back down. But, you know, my

perspective of C&T usage is, every eligible C&T person should have use of the resource until such time that the resource is seen as strained. And then you start restricting people from the usage. That's when you go into the \_ - I forget the number they call it, but the paragraph that says, well, only these people can use the resource. But up until that time, everybody \_ - all the C&T users should have use of that resource. And I'm with most of the Council members, I can't see why you keep putting it off, putting it off, putting it off, because there isn't any reason to put it off.

MR. CHAIRMAN: Okay. Thanks. I want to ask two questions. One is, Bruce, are you done with all the proposals?

MR. GREENWOOD: Yes. And the only thing I would \_ - .....

MR. CHAIRMAN: Okay. We've heard them all, right?

MR. GREENWOOD: .....I would add to that is if there's any proposals that you would want to \_ - at the last meeting, at the Council meeting late last fall, the Council chose to have us do the C&T proposals by priority order, when they were first submitted to the office. And these are listed in that way, with the exception of the sheep in Unit 11.

MR. CHAIRMAN: The first one is.....

MR. GREENWOOD: Yes. So if you wanted to change that priority order in any way whatsoever, we can go ahead and change that at your request.

MR. CHAIRMAN: All right. Then the next question for the Council members, do you want to act on this or recess for lunch and consider it? All right. Any objection to recessing for lunch, and consider this after lunch? Okay. We'll take what, about an hour? One hour, 1:30. Be back at 1:30? Recess until 1:30.

(Off record)

(On record)

MR. CHAIRMAN: Call the meeting back to order. We were on discussing proposals. Have we talked enough about all the proposals? I believe, Bruce, you finished on your proposals, right?

MR. GREENWOOD: Yes, for the most part. If I could take another two minutes.

MR. CHAIRMAN: All right.

MR. GREENWOOD: Rod Kuhn from the Forest Service mentioned that I kind of skimmed over the couple that involved Unit 6(C) and (D) and Unit 6, and he just wanted me to bring that to the attention of the Council, that the Council may want to look at those two proposals and see if they want the staff to take action on those, or whether they're a low priority and for us not to put a lot of effort into it.

MR. CHAIRMAN: Are these in our packet? No?

MR. GREENWOOD: Yes, they're in your books under 9(F), 9(F), Page 5 and 6.

MR. CHAIRMAN: Okay. Is that it, then?

MR. GREENWOOD: Yes, that'll be it.

MR. CHAIRMAN: What's the wish of the Council members? Do we want to act on the deferred proposals? I guess, I heard earlier that we would like to act on at least 56 and 57. I don't know if that's correct or not. Do you want to act on the others? I'll leave it up to the Council members.

MR. KOMPKOFF: On this proposal on Unit 6, the no subsistence, moose? I have a problem with that because in the past, Chenega's been subsisting moose off of King's Bay. And we didn't know that it was in Unit 7. The boundary line comes right down on Unit 6, and I know of at least three or four moose taken out of there in the past years.

MR. CHAIRMAN: Where are you looking at, Don? I'm trying to follow you here. Which one are you looking at?

MR. KOMPKOFF: It's on Page 6, the top of Page 6.

MR. CHAIRMAN: Okay. Did you want to make a motion or anything like that, or make a recommendation for \_- Ralph, do you have a comment?

MR. LOHSE: Yeah. Mr. Chairman, I think this is dealing with just the moose that are in Unit 6, which would be the moose that were transplanted into the Cordova area. I think that Unit 7 was one that we need to address, because when we addressed Unit 7, customary and traditional for Unit 7, if I remember right we included Port Graham and Nanwalek in that area, but I don't think we included Chenega. And it's possible that, you know, we missed a customary and traditional finding for Chenega. Unless I'm wrong, this deals with the moose that are on the Cooper River Delta right there, which are the only moose in Unit 6 itself.

MR. KOMPKOFF: I just realized that was Unit 7 that we \_- and King's Bay, that the borderline comes right down on the bay there.

MR. CHAIRMAN: I don't know. Do you want to make any recommendation, or proposal, or anything, or motion?

MR. KOMPKOFF: Yeah, I'd like to make a motion that the \_- but it would be \_- I don't know how.....

MR. CHAIRMAN: You need help with the wording of the motion?

MR. KOMPKOFF: No, I don't. But maybe I could propose it in our next Board meeting.

MR. CHAIRMAN: Let me clear up what I'm confused about first. This is 6 we're looking at, but we're talking about 7. Is that correct?

MR. LOHSE: Don is talking about Chenega hunting in Unit 7.

MR. CHAIRMAN: Right. Okay. So what you're recommending is just kind of put it on the record that you want to consider this at the next meeting?

MR. KOMPKOFF: Right.

MR. CHAIRMAN: Okay. Go ahead, Bob.

MR. WILLIS: What I was going to say, Roy, Don and I talked about it earlier this morning, and what he needs to do is to submit a new proposal for C&T of moose in Unit 7 for Chenega, rather than deal with it through this one that you have in front of you know. So we have some proposal forms here and we can get that started.

MR. CHAIRMAN: So we don't need a motion, right? All we would need would be a proposal from whoever wants to make that proposal at the next meeting? Is that correct?

MR. WILLIS: That's correct.

MR. CHAIRMAN: The process \_- Don is a new member, so maybe you could tell him the process here real quick like.

MR. LOHSE: We're going to go through that tomorrow.

MR. CHAIRMAN: Okay.

MR. LOHSE: Don't we have that on the agenda, the process of submitting a proposal, tomorrow?

MS. EAKON: Uh-huh. And in regards to your question on what you did for C&T for moose on Federal public lands in Unit 7, you recommended C&T for Hope, Cooper Landing, and Whittier only.

MR. LOHSE: Okay.

MR. CHAIRMAN: Does somebody want to make a motion about all these proposals, specific proposals, so we can start acting on these?

MR. OSKOLKOFF: Mr. Chairman?

MR. CHAIRMAN: Yes.

MR. OSKOLKOFF: I'll make a motion to adopt Proposal 56 and 57, and recommend their adoption to the Board. And as part



of that motion, if I could, I would like to add that we be given all available information on or before the January Council meeting with regard to the deferred proposals that we're to act on, so we can act on those proposals at the January meeting.

MR. LOHSE: I'll second Gary's motion.

MR. CHAIRMAN: There's a motion and second. Further discussion on the motion? Somebody call for the questions? Questions been called for. All in favor say aye.

IN UNISON: Aye.

MR. CHAIRMAN: Opposed by the same sign? The motion is carried. I hope it's understood here that we're just recommending that the Board deal with this, and that information go to the Board. Is that correct? That we're waiting for it?

MR. OSKOLKOFF: That's correct.

MR. CHAIRMAN: And we also want that.....

MR. OSKOLKOFF: Yeah, I want to clarify. I don't want to be seen as being \_- you know, causing too much trouble on this. But I think there's some \_- there are some of these proposals that have languished for quite awhile while we dealt with the Kenai problem and a few other situations. For instance, some minor proposals such as grouse and hare have been on the books since January of '92. When we take those up at our meeting in January, it'll be five years. Some of those people, unfortunately, are not going to be there because they will have passed away in that time. I mean, there's a variety of reasons to get on with it, but I think five years is way too long. And I realize \_- and I want to stress that I understand that the Board and the staffs of the various governments and the various agencies have been under a lot of pressure with regard to other things, but I would really like to clear the books on these. And we'd ask that everything else be put to the side as much as possible so that we have as much valuable information as we possibly can for the January meeting.

MR. CHAIRMAN: Okay. We passed the 56, 57. Action on any other proposals here? Anybody want to make a motion for the other

proposals, make a recommendation?

MR. OSKOLKOFF: Well, I just recommended in the motion that we take those up at the January meeting. That was part of the motion.

MR. CHAIRMAN: Oh, you had? That was part of the motion. I'm sorry. Oh, okay.

MR. LOHSE: And that we be given the information we need to act on them.

MR. CHAIRMAN: Okay. So we're really deferring to later on, all the rest.

MR. LOHSE: The deferred proposals, we want the information for the January meeting.

MR. CHAIRMAN: All right. So we don't have to deal with any other proposal then. Frank?

MR. LOHSE: And it is our intention, Gary, from your motion that we will act on these in the January meeting, right?

MR. OSKOLKOFF: That's correct. That's what my intention was, is that we're on notice for the next several months that we're going to act on them in January.

MR. CHAIRMAN: Okay.

MR. JOHN: Is that okay?

MR. ENTSMINGER: That sounds great, appreciate it. We've got some work related stuff, so we've got to head on out. We'd like to stay for the rest of the meeting, but we can't.

MR. CHAIRMAN: Thanks for taking the time to come down.

MR. OSKOLKOFF: We appreciate your time and your determination to see this through.

MR. ENTSMINGER: Thank you very much. Hopefully, we'll

have a member down for your January meeting. Thanks again.

MR. CHAIRMAN: Okay. We're down to Item G, limits of a good proposal. Bruce?

MS. EAKON: No, actually we had gotten out of sequence again, and we're on Page 2 of the agenda.

MR. CHAIRMAN: Oh, did we skip over something again?

MS. EAKON: We're on Item (D), annual reports. If you look under Tab 9(D), you do have a copy of the 1995 annual report. If I could get some help here please, for someone to help pass \_- or maybe I'll just pass them together. What is being given to you now is a response to your 1995 annual report. And this was just very recently signed by Mitch Demientieff. And there was one burning issue that you had identified in the 1995 annual report, and that was Roy Ewan's concern about lack of wolf control on land adjacent to Wrangell-St. Elias National Park and Preserve in Unit 11. The Board's response that it believes this issue can best be addressed by referral to the U.S. Forest Service, National Parks Service, and the Alaska Department of Fish and Game. Remember, at earlier meetings, this Council was very reluctant to present a lengthy annual report because there had not been any responses by the Federal Subsistence Board. There is now a process in place where the Board will consider Regional Council annual reports in the fall of each year. And before we move on to the '96 report, do you have any comments about the Board's response to your '95 report?

MR. CHAIRMAN: Ralph?

MR. LOHSE: Yeah, I'd just like to ask what this means, where it says can best be addressed by referral to the U.S. Forest Service, National Parks Service, and Alaska Department of Fish and Game. If you refer it to the head of them, and he doesn't.....

MS. EAKON: What our staff is in the process of doing is making a list of all items that were referred to the different agencies, and do one letter to that particular agency and say, okay, this Council is concerned about this issue. The Board has referred this to you. It's not going to \_- it's going to go to a leader

in that particular agency who will try to take care to respond to this referral letter. You understand what I mean?

MR. LOHSE: Yeah. I just don't see how there's going to be any action on it, I guess.

MS. EAKON: On this particular wolf control issue, as you know, it is a very, very tough, tough issue. But, Roy, you're the one who wanted this to be in the annual report. And maybe you could comment.

MR. CHAIRMAN: Well, I didn't have any particular thing in mind when I mentioned this. I just want to point out that we have a management problem and it involves wolves, and bears, and other predators within the Unit 11 and Unit 13. And I heard they're really increased in Unit 13 also. But in Unit 13, there's an abundance of caribou at the present time, so the people are not \_- they don't care. In Unit 11, there's so few caribou now that where I used to hunt for caribou ten years ago, and see them daily, every day, in small bunches, I haven't seen one in the last two years in that area now \_- I mean, any more. I'm very concerned about that and I know it's caused by wolves because I walk up and down the land and I see where they attack, wolves, the signs of it on the sandbar. Blood splattered all over the place, and hair. And we've been saying that for years.

I mean, it doesn't make any sense for managers of these, like the parks over there, to just let it go, let nature take its course. It doesn't make sense to me. Because the cycle will be where the wolves will take over the whole area, which they're doing over there. There's packs, several packs, over there, maybe four or five packs. I don't know how many packs there are over there. I know there was one right near the cabin where I hunt from. They were patrolling the river there \_- I mean, the creek, for caribou or moose. They were sniffing. I meet them almost every day up there. And when you fly around, you can see packs here and there.

I really have a concern about all that. I think when they kill off all the calves of moose, and cows. Well, you know, probably the bulls will be the last to go because they're a little stronger most times anyway. Even then \_- even the bulls will be gone one of these days, and they'll be so low in number then the

wolves will start to decline. That doesn't make sense to me, it will be barren country over there for years, when we could have a kind of stable population of all moose, and all the species, if we use some control. I'm not saying that they should control over there, I guess it's against the park's philosophy, or whatever it is, that the law \_- the regulation that they operate under that they can't have wolf control. But I think they could cooperate with other agencies outside in Unit 13, Unit 12, where they're State managed and see if we could come up with a plan to control the wolf packs, and see if we could get our caribou population back up in that Unit 11. It's a concern.

I think Parks Service people really realize now that we're in a bad state over there, as far as the wolves go. And you heard the guy that hunts on the southern end there, of the Parks Service there, John Kurnik, talk about it. I've heard it time and time again. I have friends that fly around a lot over there and hunt over there say that that is a problem. They see a lot of moose kills, a lot of caribou. In fact, I heard that some years ago there were a number of sheep killed over there, a big ram slaughtered over there. They cornered him up there on some lower part of the mountain there and just slaughtered him. So, I mean \_- and I also heard that the Parks Service collared a lot of calves a few years ago, and all those died from either wolves or some cause. I think from what I've heard, I don't know if I'm accurate or not, they collared about 37 and about 36 of those collared were killed.

So something's happening over there that's not good. That's just what I want to point out. I think we ought to do something maybe on a cooperative basis. I know it's an unpopular subject, I realize that. But I hunt over there and I just see it first-hand. It's a bad situation. Gary?

MR. OSKOLKOFF: Mr. Chairman, maybe I could suggest that we write a letter from this Council to each one of the agencies mentioned, give them a copy of our report which mentions this problem, a copy of the response from the Federal Subsistence Board, and even that portion of the transcript which includes the Chairman's comments you just made I think would be useful, and ask them to please give us their assessment of the situation and what can be done to resolve it now that we've been referred to them by the Federal Subsistence Board. I think that's about as much as

we can do.

MR. CHAIRMAN: Okay. That's sounds okay to me. Do you have other.....

MR. LOHSE: Do we need that in the form of a motion, since we've already been directed to do that?

MS. EAKON: Yes, please.

MR. LOHSE: We should have it in the form of a motion. I move that we send a letter to the agencies identified in this report from the Chair of the Federal Subsistence Board, expressing our concerns, and asking them if they have any intentions or what plans they have to address them.

MR. CHAIRMAN: Is there a second?

MR. OSKOLKOFF: Second.

MR. CHAIRMAN: Motion is seconded. Further discussion of the motion? If not, all in favor say aye.

IN UNISON: Aye.

MR. CHAIRMAN: Opposed by the same sign? The motion is carried.

MS. EAKON: That being done, do you have any burning issues that you would like to include in your '96 report?

MR. CHAIRMAN: Maybe our concern about something we discussed at length today maybe could be in our report, of the C&T determination for the northern communities?

MS. EAKON: Okay.

MR. LOHSE: Mr. Chair, that's what I was going to suggest, the need for accumulating information fast enough so we can take prompt action on these C&T determinations, so people don't have to wait so long.

MS. EAKON: Okay. Any other issues?

MR. CHAIRMAN: Okay. I don't think we have any more issues. Is that it on the annual report?

MS. EAKON: That's done on the annual reports. So we're going to go now to Rosa Meehan's presentation on implementation of Federal Subsistence fisheries management.

MS. MEEHAN: With your indulgence, we need to pull out the flipchart. And so.....

MR. CHAIRMAN: Do you want us to move here.

MS. MEEHAN: I just need to get this chart out. Rosa Meehan, Office of Subsistence Management. And what I'm prepared to present today is how the Office of Subsistence Management will deal with the setting up of Federal Subsistence fisheries management program, or at least that's what I was prepared to do until we had Congressional action. And so what I'm prepared to do today is explain to you the status of Federal adoption of subsistence fisheries, and seek your input on a few issues that we feel are important and identify any other issues that you feel are also important.

By way of background, as you're aware, ANILCA provides a priority for subsistence use by rural Alaskan residents. And in a recent case, that I'm sure Fred's very familiar with, known as the Katie John case, the Federal court ruled that the term public lands includes waters in which the Federal government has reserved water rights. And to draw your attention to a couple of maps on the wall here, the big map there of the State and also this regional map over here highlight the drainages that the Federal government has reserved water rights in. They're the drainages that are in red. They're also on the Federal public lands. So it's the colored portions on the map.

We basically tentatively identified those waters as those in which a subsistence fishery management program would be developed. Now we were all set to go ahead and start putting together a program as the judge ordered, and we were working on a timeline of somewhere around December having an interim rule or

proposed rule to start implementing the program. And then we had Congressional action on the budget. And we're in a position now where the Congressional \_- the budget that we're working on has language attached to it known as moratorium language. And the language says, basically, that none of the money in the budget is to be used to prepare, promulgate, or enforce a rule related to Federal Subsistence fishery management. So right now, we're in the position of the judge saying on the one hand, you will do this, Congress on the other hand saying, you may not do this. And so there's \_- that is an issue that is being sorted out by folks at a much higher level than myself, and so we don't know exactly what will come out of it.

What I can share with you is that basically the uncertainty is when we will go about establishing a subsistence fishery management program. Not yet. We are under court order to do it, but when is the question because of the Congressional language. And so we're left with basically \_- what I can share with you is the process of how we're going to get to an end point of a subsistence fishery management program, but not necessarily the timeline.

And so basically the process that we'll go through is that we will prepare an environmental assessment. In other words, review a fisheries management program and in that make recommendations on what the program should look like. From that assessment, we'll then draw up a rule to implement a program. It's basically the same process that was followed in setting up the original subsistence program that we've been discussing about this whole meeting. We'll do the same thing for fish, we just don't know exactly the timeline on it.

Given that that's the position we're in, we have been working on this and we have \_- as you may recall, we had meetings around the State in May and June to discuss in advance notice of proposed rule making in which we sought input in general on implementing a Federal Subsistence fishery management program. And we did get a lot of comment on that, and it ranged from everything from many examples of how important subsistence fisheries are to rural residents to real concerns about the extension of Federal jurisdiction. We have all that testimony. And from that we have identified some specific issues that we found we need more information on to then get into the next step of writing



a more detailed analysis. And so, first of all, I'd be glad to take any questions on where we are in the process and what we think is happening. And then I would really like to get some input on these issues. So if there's any questions on the status of the process? Yes.

MR. LOHSE: Just on the status of the process then, with the limited funding, you have basically a year delay on it for sure?

MS. MEEHAN: That's the way it seems. It's not limited funding, it's no funding.

MR. LOHSE: That's what I mean.

MS. MEEHAN: Yeah.

MR. LOHSE: I mean the limitations on funding is actually what I meant.

MS. MEEHAN: Correct. Yeah, and it's not even just limitations on funding, it's just you will not do this.

MR. LOHSE: Right. You will not spend any money to do this.

MS. MEEHAN: Yeah, the same thing, I guess.

MR. LOHSE: And so basically that delays the process for at least one year.

MS. MEEHAN: That's the way it seems. The only reason I'm being a little hesitant on this is that my understanding, when I left the office last Thursday, is that there are discussions continuing in Washington about the exact interpretation of the Congressional language. And so until somebody comes down and says, okay, this is the way it is, we're going on suppositions, if you will. I mean, the language is pretty straightforward, by and large, but, you know, the big boss hasn't, you know, punched the hammer down.

MR. CHAIRMAN: I have a question about \_- how long can this go on? I mean, withholding of funds to implement the program?

MS. MEEHAN: Since the budget is done on an annual basis, it has to be done each year.

MR. CHAIRMAN: And it can be done every year, continue on?

MS. MEEHAN: It can be done, that's correct.

MR. CHAIRMAN: A moratorium on.....

MS. MEEHAN: Yes. And that's politics.

MR. CHAIRMAN: Any other questions or comments on this issue?

MS. MEEHAN: Okay. So given that that's the status, we still do.....

MR. CHAIRMAN: Well, let me ask another thing.

MS. MEEHAN: Sure.

MR. CHAIRMAN: Since we have been dealing with wildlife pretty much, now would we be responsible, the same Council, everybody responsible for the fisheries also, or would that be a different Council, if you know we were to take over that program - implement that program?

MS. MEEHAN: That's one of my questions back to you.

MR. CHAIRMAN: Oh, okay.

MS. MEEHAN: One of the issues that I had, because that's definitely a question that we had when we started looking at this. And there's a couple different aspects to it. The first is, as you just suggested, do you as a Council feel comfortable with taking on the additional responsibility of reviewing all that's involved with a fishery program? So it would be the proposals, and making recommendations on it, you know, proposals for catch limits and harvests within a subsistence framework on Federal lands, as well as the C&T on it.

MR. CHAIRMAN: You have a comment, Ralph?

MR. LOHSE: Well, actually.....

MS. MEEHAN: I'd like to catch this on the flipchart,  
so.....

MR. LOHSE: My comment is that the fishery will demand more involvement than the game, and I don't see how this current Regional Council can handle both, personally.

MS. MEEHAN: Just to help you with your discussion, some of the things \_- just to give you a range on it, is it something that you could see with additional members, you could deal with it, or would it take a completely different council? You know, just \_- there really are not side boards on this. We want to get ideas.

MR. LOHSE: Mr. Chairman?

MR. CHAIRMAN: Yes.

MR. LOHSE: Can I answer why I feel that way? For the same reason that we have a split Board of Fish and a split Board of Game in this State. The amount of reading material that's going to be involved in trying to keep up with both the fisheries issues and the game issues is going to be beyond most of our capabilities to do that and to earn a living doing anything else at the same time. I mean, they basically pay the Board of Fish and pay the Board of Game for the time that they sit in, you know, on Fish Board meetings and Game Board meetings. And to a certain extent, with the amount of proposals that are going to be entered and everything else, you're going to be dealing with the same situation here as they're dealing with. And, I mean, personally myself, I don't see how \_- as much as I'd like to be involved in both, I don't see how I could do justice to both.

MR. CHAIRMAN: I think I tend to agree with you, Ralph, but I do have in my mind, back in my mind, a question about how we deal with both commercial, personal use, and subsistence fish. I don't know. I mean, maybe there will be a need to involve all those users, I guess, somehow or another. I don't know. I really don't know. I'm not too familiar with the Fish Board, what they

do. I know it's very involved. I don't know. Gary?

MR. OSKOLKOFF: Frankly, from my point of view, I see this as not as much of a problem for the Advisory Council, except that it is going to take more time. We're going to have to come up to speed on it, we're going to have similar hot button issues that are probably going to delay a few things here and there. I think it would be impossible, on the board level, given that they're dealing with a variety of Regional Councils right now, the number that they are and the process that they've had to go through, it seems almost impossible that you could do your day job at the same time and do this. So from looking at it from top down, more or less, it seems it would almost mandate that there be two separate groups. I'm perfectly willing to take it on right now.

I think it's unfortunate that there seems to be such apprehension at the Congressional level, but I'm willing to march into it because I think it's something that the people have been discussing and meeting for decades, and that hasn't been resolved yet. And I don't know that we're perhaps doing the best for the people if we don't try and expedite the setup and education of ourselves or another whole new council, if we're having to do that, appointment process and whatnot. I can see this thing dragging out for several years before we get to it.

First of all, you'll have to have your money appropriated. And knowing how stubborn our delegation can be, that might hang on for a couple of years. You then have to have some type of involvement to develop some type of plan of action, and then at some point you're going to have to have appointments made. And, you know, it just seems to me that we're looking at another thing that could be five years in the making. And believe me, I'm looking for less to do rather than more every minute of my day, but on the other hand I just can't imagine trying to set this whole program back up again, and go through the process, without having a place to start like we already have.

Personally, and on the perspective of whether I feel capable of making a decision whether it's on land or water, I'm perfectly comfortable on both. The testimony that we've received like on our Council level, and a good deal of the subsistence information that I've heard, the people make very little

distinction between game animals, small and large, and fish, whether it be in the rivers or in the inlet, and tend to talk of all those things all at once. So it seems to me that I've had quite an indoctrination into all those worlds.

MR. CHAIRMAN: Anybody else?

MR. JOHN: Mr. Chairman, myself, I don't have any problem taking on fishing because it's part of what subsistence is to me. And I believe that I know enough about fishing in our area, I'm talking about our area here, that I could make a decision on subsistence fishing. And I feel like Gary does. If we start a whole new thing, it'd probably take us back a long time. And as far as I know, the people around here need subsistence fishing, they need it not some time in the future. But, you know, we could start implementing. Whatever we had to do, we could start.

MS. MEEHAN: Mr. Chairman, somewhat related to this is what type of a meeting cycle would work for councils dealing with fishery issues. And right now, we've got \_- the way the wildlife cycle works, it's development of proposals in the fall and review of those and setting of harvests in the spring. And we realize that we would not want to staff a fisheries cycle on top of a wildlife cycle because that does put a lot of work happening all at once. And so we've had a suggestion that it would make sense to put a fisheries cycle out of phase, if you will, with the wildlife cycle. And so one idea would be to take proposals in the late winter, have the Regional Councils review those proposals in the fall, and then have the Board make regulations effective starting in the new calendar year. So it's just a little bit off the wildlife cycle. And so I'd be interested in your thoughts on whether that type of a schedule would work, or if there is another type of a schedule that makes sense, whether or not this is the board that sits on it.

MR. CHAIRMAN: Ralph?

MR. LOHSE: Mr. Chairman, I feel what she's suggested is probably the only way you could do it, because fisheries start in early summer. So your decisions have got to be made in time to implement them for the summer season. Game starts in the fall, so your decisions for that have to be made in time for the fall

season. The only thing I can see to do is to stagger it a half a cycle because you're going to have to have these fisheries decisions made in time to put them in place. I actually would see where, technically speaking, it'd be better if the decisions were made on the fisheries in the fall and then the decisions on the game were made in the spring. That would still give you half a year to implement them, which would mean that if your decisions are going to be made in the fall, the proposals are going to have to be in in the spring, you know, for the fisheries. And that way you'd have them in place for the following year. But you're going to have to stagger the two so when you're making decisions on one, you're receiving proposals on the other and come out in that time, the scenario.

MR. OSKOLKOFF: Just a question. Is that type of scenario the best also for the staff? Has that been taken into consideration?

MS. MEEHAN: Well, it's kind of one thing at a time. The most important thing is to identify a program that's going to work for you all and for the user, and that the user's the end beneficiary of it. Whatever it takes to do that kind of program, then we'll set up the staff to do that. So we want to get something that's going to work first, and then we'll make sure we've got a structure that will implement it. It's going to be a different staff doing fish. We're not going to have us do it.

MR. OSKOLKOFF: That was my question. Thank you. You're reading my mind now. I like that.

MS. MEEHAN: That's sort of a scary thought.

MR. CHAIRMAN: Any other comments or questions? Don?

MR. KOMPKOFF: Mr. Chairman, I got a call from Bob Henrichs in Cordova and he said they were going to start a Native subsistence fishery in Cordova. Have you heard about that? And they were going to bring it to the Board of Fisheries on the December meeting, I think he said.

MR. CHAIRMAN: You're talking about the State Board?

MR. KOMPKOFF: Uh-huh. The State Board of Fisheries.

MR. CHAIRMAN: You're probably talking about some kind of educational program.

MR. KOMPKOFF: It might be for the school.

MR. CHAIRMAN: I think the Kenai area did that, didn't they? And did they get special fisheries down there?

MR. OSKOLKOFF: The educational fishery, I think? Is that what you're talking about? For Ninilchik? It might be something similar to that. I haven't heard what it's \_- what Bob had in mind down there.

MR. CHAIRMAN: Okay. Back to the fishing. Who should be responsible at this level here? Should it be another council or the same Council, I guess, is one of the questions. And I don't know whether I hear it plainly enough one way or the other. Some are saying yes. I heard Fred say yes, he can take it on. Gary saying that he feels comfortable both taking on \_- maybe taking it on, but I think you did mention the workload would be pretty hectic, but you can \_- you feel comfortable making decisions on both?

MR. OSKOLKOFF: Another option I was just rolling around in my head here, and I don't know, maybe it's not a good one, but I'd like to throw it out, is that we may even consider, if we have to, adding two more members perhaps to the Council or having subcommittees within the Council so that it can be addressed. Some of this technical work that has to be done by the Council itself with regard to hearings, some of these things don't have to be done by the entire Council at one time. One side could be doing game and one side could be doing fish. Perhaps it would make it a little easier, so maybe you have a little tougher winter or a little tougher summer depending on who you are, or something like that. You know, kind of divide things up to some extent, or what more you're interested in. Something in that vein, or in the alternative, perhaps subcommittees to this Board might come in handy at some point, who could meet who weren't actually members of this Board, who could conduct some of the process as far as hearing and whatnot goes. I don't know if that's workable. It seems to me you'd have to have these members, at least a number

of them, present at each one of the meetings, but I don't know if it'd be necessary to have all of us at each one of the meetings.

MS. MEEHAN: Mr. Chairman, if I could add just some clarification that addresses the workload concerns. I just want to remind everyone that we're not talking about marine waters. It's strictly freshwater and it is limited, as we envision it right now, to the drainages that are on \_- there's a Federal Reserve water right. It's basically Federal lands that are in conservation units. And we've got maps that show these, but to help you sort out what the work load is. It's not all the fisheries in the state that we're talking about. It is the subsistence fishing on the Federal lands.

MR. CHAIRMAN: Yeah. I think.....

MS. MEEHAN: Not that they're unrelated. I don't want to downplay it.

MR. CHAIRMAN: .....we realize that.

MS. MEEHAN: Okay.

MR. CHAIRMAN: I understand \_- I know that we'll have people from commercial fishing organizations.....

MS. MEEHAN: Yes.

MR. CHAIRMAN: .....at a lot of our meetings if we were to be considering fish management. I know that sport fishermen, I know, take up a lot of our time and require us to do a lot of study getting knowledgeable about this whole thing. And a lot of research and a lot of stuff like that will be going on. I think that's what we're concerned about.....

MS. MEEHAN: Yes.

MR. CHAIRMAN: .....as far as time consuming goes. I am anyway. I'm not that familiar with \_- I haven't been to a Fish Board meeting, I don't know what all they go through, but I can just imagine that it's a lot of work. Any other comment?

MR. ROMIG: Mr. Chairman?



MR. CHAIRMAN: Yes, Ben.

MR. ROMIG: I'd be concerned with the work load and I'd also like to \_- you know, I'd like to see what kind of a need was out there for the different areas before I would say can't handle it. I'd like to see what's exactly involved and what areas were in really need. And then, you know, make some adjustments from there. It's not necessary to make some decision today on it.

MS. MEEHAN: We're just seeking input and appreciate hearing the concerns.

MR. CHAIRMAN: Yeah. What I was really saying is that we know \_- I know for sure there'll be concern about what we're doing here, these other user groups and be very vocalized, I suppose, at our meetings. These are public meetings and I could just imagine we could just imagine we'd bog down for days at those meetings. Ralph, did you have a comment?

MR. LOHSE: I had two questions. One I was wanting to ask Rosa and one I wanted to ask other members of the Council. You mentioned that it would only be in fresh waters and yet if you're dealing with an androgenous fish that is traveling up fresh water the only way you can regulate what happens in fresh water is to regulate what happens in the salt water right at the river mouth. And so you're going to have to be somehow or another having some jurisdiction on what happens prior to the time fish enter the river if you're going to regulate what happens after fish are in the river. So there is going to have to some salt water management involved in the subsistence fishery otherwise it's meaningless what happens up above. So the Federal jurisdiction is going to have to extend in some forth or another to the fisheries that take place at the mouth of the various rivers.

And I was just kind of trying to look at ours and we have basically the Copper River and then some of the streams in the Sound and then on the Kenai. And I was just wondering what \_- like \_- as Council members what do we see as needed modification, what do we see as needs that aren't currently being met under current subsistence regulations? Do we see a large change that's going to have to take place? Or I noticed in your time line basically

it looked like adopting the State regulations while we had time to go through and promulgate some of our own. Do people feel that we're going to have a lot of issues that have to be addressed in a real fast hurry? If it is we're going to need more help. If it's just moderate changes taking place we don't.....

MR. CHAIRMAN: If I could just comment about that. I do believe there is some concern in some of the rural communities, probably in this area too, about more subsistence users. And a lot of them are not necessarily from the area either. You can't prove a lot of times who's using the fish wheels out here. There's just concern that there's an increasing number of fish wheels out here. I've grown up around here and I know that they probably \_- we have about 10 times as many fish wheels that we had when I was a kid. And where are they going to stop is one of the concerns.

And I believe that there are concerns on the Yukon River about other matters, yeah, but we're not concerned about the Yukon River here in the region. I've heard from time \_- you know, time and again some concern about lack of concern by the commercial fishermen down when they had their meetings about the subsistence needs. There's not that much concern about it. We might get into the same situation where they'll close down fishing in the Yukon River. Remember that happened a few years ago. I think there's concern something similar might happen here without say \_- without our input. Maybe Gloria, you had your hand up,.....

MS. STICKWAN: I just wanted to know the areas that she was talking, could you explain what areas, the fish streams and waters, if it isn't too much trouble. And then I wanted to say that the areas that we're concerned about is the allocation of fish, there is a concern about that. We are concerned about our traditional areas, where we used to fish, that would come up.

MS. MEEHAN: For the specific areas the best thing I could do is refer you to the map that's got that piece of paper hanging over it and that shows the specific drainages, that one there.

MS. STICKWAN: Is it too many for you to mention?

MS. MEEHAN: It's too many for me to do off the top of my head definitely.

UNIDENTIFIED VOICE: A short (ph).....

MR. KUHN: Rod Kuhn, the Forest Service. A short version of it would be streams that are bordered by Federal lands is probably the easiest way to think of it. If you're going to be standing on Forest Service land on the shore then that stream would be something that would be managed by the Federal Subsistence Fishery. If you're standing on selection, you know, some lands that they conveyed to the Native corporations or the State they're not. I just wanted to mention one thing on some of these when Ralph asked a question a minute ago. And that is as far as being able to do things in salt water, being for anadromous fish throughout their cycle. They could be a relative simple process if this Council, for example, identified an amount of fish that translated into some sort of escapement and if that information were conveyed to the State as long as they were willing to do -- and I believe they are willing to allow that to go on so that escapement is assured, then subsistence would be a priority use, but the rest of the management of the run would still be run by the State.

MR. CHAIRMAN: Any other comments or questions? Gary?

MR. OSKOLKOFF: I just had one question. Way back at the beginning with regard to the Council structure, is it an assumption that whatever structure is developed for the Regional Councils that it would be uniform throughout all the Regional Councils that we would all be handling, for instance, fish and game or all setting up a separate board or could we possibly deal with it differently in different regions?

MS. MEEHAN: At this point we're open to any type of suggestion. And what you have just suggested makes sense with some of the testimony we've heard in other areas such as the Seward Peninsula which was a Council that felt that, yes, they could indeed handle both fish and wildlife questions. Obviously the fisheries issues down here are far more complex.

And I just want to emphasize we're at the very beginning of trying to put together the environmental analysis of this, so

we're open to suggestion. And that's really why I'm here talking with you today.

MR. OSKOLKOFF: One more question. Is there going to be a budget analysis, I guess is the best way to look at it as to what the Federal government could afford to do or what it would cost to implement various variations or is that going to be a consideration given that everybody's under a real budget crunch already?

MS. MEEHAN: I'm going to have to bow out of this one because I don't do the budgets. I'm sure that for any proposal that's made there will be, you know, budget figures attached to it but I think that the thing to really focus on is to get back to identifying what's a program that's going to work. And then we'll tackle how to get the budget to do it. There is a commitment to follow through on this given the politics. We do have to work within that political framework or the agency does.

MR. CHAIRMAN: I don't want to put anybody on the spot, but I would like to know if anyone has any ballpark figure if you took on the management, how much would it cost approximately? Does anybody know, have any idea?

MS. MEEHAN: We have had figures suggested that range from 10 million to about \$50 million. And both those figures have gone \_ - you know, been put through the process.

MR. CHAIRMAN: That's statewide?

MS. MEEHAN: Yes. That may be just Department of Interior. Again, another course of complexity with this is we do have the Department of Agriculture involved as well as the Department of Interior. And \_ - but there have \_ - there are budget projections on the table, they're put in for planning purposes.

MR. OSKOLKOFF: In those budget projections is it anticipated that new staff will be hired or is it just anticipated that this will be a cost that will be a line item in existing systems?

MS. MEEHAN: It's a line item within the budget. There's absolutely every intention that new staff will be hired.

MR. OSKOLKOFF: Okay.

MS. MEEHAN: Trust me the staff that are around are working full-time dealing with the wildlife, so to do fish justice we need to.

MR. CHAIRMAN: Anybody else have any comment about this?

MR. LOHSE: You had a couple of more items you wanted to bring up.....

MS. MEEHAN: Yes, a couple. One is that you had brought up the State regulations and one approach to developing a proposed rule for this would be to take the State regulations and put that out as a first cut and then make modifications as necessary to come up with a final rule. And that's basically how the wildlife program got started. And so we would suggest essentially taking the same approach, however, we recognize that there may be some real burning issues with the existing State regulations. And so in your books there are copies of the pertinent pages of the existing State regulations as it applies to this region. And what would be really helpful to us is if you could take the time to mark those up and highlight things that would absolutely need to be changed to make the program work, and send them in to us. That would help us start out with a proposed rule that addresses the most burning issues.

I have one more issue.

MR. CHAIRMAN: Go ahead.

MS. MEEHAN: The final one is one thing we do need to identify within this process is customary trade and significant commercial enterprise. We need to \_- it's something that we need to identify the thresholds on these concepts. And basically under a Federal program a limited amount of subsistence taken resources can be sold or bartered. And we need to figure out a way to reasonably identify what is a reasonable amount so that we can regulate it. And so we're interested in any of your thoughts on how we can reasonably identify these terms or approach identifying the terms.

MR. OSKOLKOFF: Mr. Chairman?

MR. CHAIRMAN: Gary?

MR. OSKOLKOFF: That's been a real difficult one even within the Native community itself and even members of my tribe have sat down and tried to define for benefit of trying to put together some type of legislation, what we would consider customary trade. The problem is, is that it has to be \_ - if one doesn't want to get bogged down in several thousand insignificant details which are pretty significant to the people involved in the trade, you have to leave it fairly open to be dealt with on a case by case basis with only the extreme upper limits being defined. But that's something that I've wrestled with an idea of how to put that together specifically and I haven't liked anybody's definition I've seen so far on game or fish or anything else, and I'm really lost on that. I would defer to the wisdom of the rest of the Council on that one.

MR. CHAIRMAN: I don't think anybody \_ - you know, everybody will agree to a certain amount.

MR. JOHN: You know, some of the customary trade that I see, I don't have no definition of it, how I could put it. But I see that the people from the Upper Tanana come down to Copper Center and the people down there that have used their fish wheel. It seems like that would be one of the trades, you know.

MR. CHAIRMAN: Yeah. What I was going to say I think we differ in what we think is reasonable, but I think we can live with a certain amount if, you know, the Council votes and maybe all the Councils kind of problem (ph), agree to a certain, certain, certain amount. I think we can live with that. I don't think that it is something that we can't do, set a limit.

MR. OSKOLKOFF: The way I see it and the reason that I say it's kind of difficult to put \_ - to quantify is it's really more or less not a quantity necessarily as it's more of a ratio, if you will, and actually it's more of just an equation if one wants to try to and put together the variables in that equation. In some instances you might be dealing with someone who the amount of what

would be reasonable customary trade may be a very low threshold simply because of their need or their resource that they're dealing with. Whereas in other areas without that \_- without a pretty significant level of being able to trade out your fish or game or what have you to get your other resources you would be in a very tough situation. So to me it's more formula driven than it is actually specific quantities because if I were to put a number on it from my area I don't think it could apply in another area. It seems like if you go to the next stream you'd be \_- and you deal with the family up the next stream perhaps you would \_- you know, they have a different set of circumstances that they have to live under. It seems like it could be something that could be somewhat general and something that wouldn't be so complex that it would \_- you know, it would often be broken, but like I say I'm really at a loss for exactly how one would go about doing that.

MR. CHAIRMAN: It's not easy.

MS. MEEHAN: I knew this wasn't going to be easy. What I'd like to leave you with is that this is something that we're going to have to come up with an identification in the final rule. And we would really like to have input and serious help from the Council on doing this and in trying to identify it. And clearly recognize that this is not an easy issue and there may not be a single limit or single answer for the entire state. If that's the case we need to come with a way that we can equitably deal with this and get it down on paper. So any help that you can give us will be very much appreciated.

MR. CHAIRMAN: Okay. Anybody else have any comments or questions?

MR. OSKOLKOFF: I'd just like to make a general comment with regard to this delay that's been essentially legislated into the budget. I would personally like to communicate my dissatisfaction with the essentially stall on resolving some of the subsistence problems. I can appreciate the difficulties and the politics that go into these situations, but I can more appreciate the situation and the person on the ground who on one hand has to go out and defy the law, if you will, in order to feed their family. And I think that in the real of politics, those people that serve us should keep that in mind. And frankly, I'd

like to see a letter from this Council directed to our Congressional delegation asking them to commit to the necessary funding for next year to allow this process to take place for the benefit of the people.

MR. JOHN: I second that.

MR. CHAIRMAN: Did you want to make a.....

MR. OSKOLKOFF: Sure. I'll make it in the form of a motion if you'd like.

MR. CHAIRMAN: Okay. There's a motion that we write our Congressional delegation. Can you help me word that motion a little more? To do.....

MR. OSKOLKOFF: Well, perhaps in wording the letter, Mr. Chairman, if you just refer to my comments, I think that expresses my feelings pretty well. And if there are other comments of the Council that those could be incorporated, I think that would probably be adequate.

MR. CHAIRMAN: There's a motion and second. Further discussion on the motion?

Question calls for. All in favor say aye.

IN UNISON: Aye.

MR. CHAIRMAN: Opposed by the same sign? The motion is carried. Anything else?

MS. MEEHAN: That's it for me. Thank you very much for your input. And as we learn more about anything about timing and how we're going to proceed with this process and when we will certainly let you know. And I'm sorry that we don't have definitive answers today, but we will keep you posted.

MR. CHAIRMAN: Could I have one additional comment? And that is I do have a fear of losing control of what happens in fisheries in the area,.....



MS. MEEHAN: Uh-hum.

MR. CHAIRMAN: .....you know, to a different group. I do have that fear even though I know that it would be a work load. If need me or if there's \_- you don't have another council to deal with the fisheries, I think I can take on the subsistence fishing also. I just want you to know that. I know that's going to be a lot of work, but I see the importance of protecting the local people here in the rural areas. I'd hate to see two different groups working on \_- you know, one on fish and one on game, but you're still trying to benefit the same people. You know, the people that are trying to benefit pretty much have the same feeling about both fish and game, I believe, fish and wildlife, how they use it and when they need it and so on. I just think I can take it on. Anybody else? Don?

MR. KOMPKOFF: I've been doing a lot of subsistence fishing for \_- around Chenega and Cordova area and Tatitlek. And I feel comfortable to be working with Rosa on this.

MR. CHAIRMAN: SO you think that we could take on the fish management as a Council also?

MR. KOMPKOFF: I believe that it would be a lot of work, but I think it would be \_- seem like the right thing to do to me.

MR. CHAIRMAN: All right. Anybody else. If not, thank you.

MS. MEEHAN: I appreciate your concern and input.

MR. CHAIRMAN: Okay. We'll take a five minute break.

(Off record)

(On record)

MR. CHAIRMAN: Okay. I'll call the meeting back to order. Where are we at now, Helga? Are we on G?

MS. EAKON: Item G. Elements of a good proposal. Bruce Greenwood and Robert Willis.

MR. CHAIRMAN: Bruce and Robert?

MS. EAKON: Uh-hum.

MR. WILLIS: This group has been together long enough now to know pretty much what this proposal is, except you do have two new members, and so we'll go into the formal a little bit more than I normally would since we don't have anybody from the public with us except Gloria who's done a number of proposals.

The proposal form, you've got this in your book as Item 9G. And it's a little different this year, but it's still pretty much the same. A series of questions. The first page is information, what the dates are, when the proposals will be submitted and when they'll be acted on and some telephone numbers and other information, to contact us if you need more information or more forms.

As you open it up, the second page starts with the usual questions. What regulation do you want to change. And we always ask that you write down the exact regulation from the book that you want to make a change in so we can identify it exactly. And then you go to number 2, how would you like to see the regulation changed. And you just then re-write that regulation as you took it out of the book in the form that you want to see it appear the next year. After that go to the next page and tell us why you want this regulation changed. And this is probably, you know, one of the crucial questions.

And number 4 there is a different question. We've changed that question from last year. Have you observed anything about wildlife populations that will assist the Federal Subsistence Board in reviewing your proposal? We used to ask how will this proposal change affect the resource? And we didn't get much information back other than no effect or something of that nature, you know, something that we couldn't use or the Board would not be able to use. And so we changed that question to try to get people to tell us, to give us some actual information about what they observed out there on the ground. If you saw 10 cow moose this year and eight of them had twin fawns and the other two had single fawns, then you know you've got a really good production year for

moose. You had a \_- you know, they came through the winter well and they had a good spring. And if you still see all those moose in the fall you know they survived well. And that tells us something other than saying there's lots of moose. So the more information you can give us about what you actually see out there on the ground the more we'll be able to use it and the more the Board will be able to relate to it.

And the last question there is how will this change affect subsistence users? And in that case just tell us what the benefits are going to be in this change in the regulation and who will benefit from it.

Now, these first two pages deal with the proposed changes that you want to make and what we call the subpart D regulations which is the harvest limits and the seasons. And if you want to make a change in the customary and traditional use determination then you go to the last page of this form and answer questions 6 through 9. And I'll leave that to Bruce to go into the C&T requests.

MR. GREENWOOD; Okay. On number 6, which communities use this resource. Indicate time periods if possible. What we're looking for here is for you to state which communities use the resource and to let us know how many years the community has used the resource, when did the community begin harvesting the resource and were there any breaks in uses of the resource. So, for example, you could say the community used this resource the last 30 years or time immemorial or the last 10 years or we use this resource in the early 1900s and we had a break because of regulatory changes, but we'd like to use the resource again. So this just articulate how long you've used the resource.

7 is where has it been harvested. Indicate specific areas of possible \_- this is good to indicate what unit or subunit it's been used in. Maybe what drainage it's been used in. What particular area it's been used so we have a better idea and understanding. And you relate to us where you have harvested the species.

What month is pretty straight forward. It's the time of year. For example, the Mentasta caribou herd, the Ahtna Elders

testified they used caribou from August 1 until the 31st of March. And that's the kind of information we need in that section.

And number 9, what we're looking for is other ways to show that the communities are customary \_- that this is a subsistence type community. And some of those factors that are important would be to let us know how it's processed. For example, we use the entire caribou. We used all the caribou and this is how we've used it.

Another one was about sharing. You could just talk about sharing. It's been used in potlatches and so forth. Other resources it's very important. We know that a subsistence type community often uses a lot of resources, between six and 10 resources. A non-subsistence community will generally use around four, less than four type of species. So this gives us an idea that the people are truly subsistence users that are asking for this C&T request.

And then, how the knowledge is passed down or any kind of information. In a lot of subsistence cultures and also other cultures have a way of passing down knowledge from generation to generation on how they harvest, the different practices and customs that they use in harvesting the species. And other information, how they educate the young to our way of taking animals.

And as Robert mentioned, if there's any questions about using this form or you get stumped by it, feel free to call anyone on the staff and request more information because we'd be more than happy to guide you through it and help you complete the form.

MR. CHAIRMAN: Any questions or comments?

Okay. Thank you very much.

MR. GREENWOOD: You're welcome.

MR. CHAIRMAN: Who should they call if they need help?

MS. EAKON: Robert Willis and until October 30th \_- well, they can call our toll free number and we'll take down their concern.

MR. WILLIS: I was going to say that's the best thing to do.....

MS. EAKON: Uh-hum.

MR. WILLIS: .....to call the toll free number and then you'll get the receptionist at the desk and she gets a lot of these calls and she can talk to you for a few minutes and figure out who you need to talk to. Sometimes it's me, sometimes it might be Helga or it might be Rachel.....

MS. EAKON: Uh-hum.

MR. WILLIS: .....when she gets back.

MR. CHAIRMAN: Okay. Thank you. Did we take care of H? Okay. We go to Item H now then. We'll open the floor to proposals to change any Federal subsistence regulations. It is open to the public or to the Council, the agencies. The floor is open. Helga, do you have.....

MS. EAKON: Mr. Chair, I had promised Gloria Stickwan of the Copper River Native Association that we would pass out copies of a proposal on designated hunter permitting system that she had submitted. And I guess she just wanted to introduce this to you so give you a heads up because this is going to be in our proposal booklet. Gloria, did you want to.....

MS. STICKWAN: (Inaudible - away from microphone).

MS. EAKON: On your designated hunter proposal.

MS. STICKWAN: I thought we weren't going to get to that until tomorrow.

MS. EAKON: No, we're going to get done today.

MS. STICKWAN: We are?

MS. EAKON: Uh-hum. There's only one more agenda item and that's establish time and place of next meeting.

MS. STICKWAN: I wasn't really prepared today  
(inaudible).....

MS. EAKON: Okay.

MR. CHAIRMAN: We'd ask you to come up to the mic, Gloria.  
Come up here to the mic.

MS. STICKWAN: We just wanted to get designated hunters  
for our areas for moose and caribou to be changed for Unit 11, 12  
and 13 for federally qualified subsistence users so that people  
who are not able to hunt would be able to have somebody hunt for  
them. And we're saying that only federally qualified subsistence  
users are the ones who could get designated hunters, that's what  
we wanted. Is there any question?

MR. CHAIRMAN: Gary?

MR. OSKOLKOFF: This is only for caribou and moose and only  
in Unit 11, 12 and 13?

MS. STICKWAN: Uh-hum.

MR. OSKOLKOFF: Is there a reason that this doesn't need  
to be statewide or couldn't be made statewide in scope?

MS. STICKWAN: I suppose it could be made statewide, but  
we just wanted it for our federally qualified subsistence users  
only.

MR. OSKOLKOFF: The reason that I asked is that we \_- there  
has been a couple of people who have come into our tribal officers  
in Ninilchik who have made a similar request. And I was just  
wondering if this could be adopted \_- if it was adopted, if it could  
be applied statewide. And also if it could be applied to more than  
\_- how difficult it would be to make it more than just caribou and  
moose. For instance, grouse is pretty popular in my area. And  
some of the people, particularly, I think of the two people that  
came in, one was very elderly and the other one did not come in  
but called in who was physically disabled and unable to go through  
this kind of a process. I'm just wondering if that.....

MS. STICKWAN: We were just concerned with moose and caribou because that's what we rely on, but it could be for other species. And I don't know about statewide. You guys could do that, but we just wanted for our federally qualified subsistence users.

MR. CHAIRMAN: Ralph?

MR. LOHSE: Gloria, basically what I see is you're not really changing anything you're just asking to have it more easily done?

MS. STICKWAN: Yes.

MR. LOHSE: The program is already in place. Currently you have to go through the Federal Subsistence Board to get it, but you'd like the regulation to be changed so that it can be \_- the permits could be more easily accessible.

MS. STICKWAN: Yeah. We wanted it through BLM and Wrangell-St. Elias (inaudible).....

MR. LOHSE: I think that's \_- Gary, that's basically \_-if you're going to do that you're going to have \_- what you're talking about doing is you're going to have re-write another whole proposal to address that because as the Copper River Native Association, they're addressing their concerns in their area. They've even stated where they want to be able to pick up their permits.

MR. OSKOLKOFF: Uh-hum.

MR. LOHSE: So if you're going to do what you're talking about, you're going to need to put in another whole proposal and figure out where they could be picked up statewide 'cause what they're trying to do is make it easier to handle here in the Copper River without the wait.

MR. OSKOLKOFF: I wanted to point out the individual who is physically disabled is my little sister who's quadriplegic and bed ridden who enjoys her subsistence resources as much if not more than I do. And when she asked for a permit they told her you have to come in the office and pick it up essentially in Kenai. Well,

that being an unlikely scenario one I'm sure she wished she could do, she was unable to do that. She also had difficulty getting even permits for a similar program through our Native Association for Native Association private lands. And I'm thinking that I heard in other areas, other areas of the state similar concerns. And I'm just wondering if this could be \_- it could be \_- perhaps the proposal could be sent up as is for the time being, but I would like to offer that we consider a variation on the proposal which would allow this to be a statewide resolution.

It would expedite things. It would take one more thing off the list that a lot of people have had a concern about around the state. And I think it would be probably that much more agreeable to the board members when they took it up to take care of it once and not have to revisit it for each, you know, Council or region or Fish & Game region.

MS. STICKWAN: Could we pass this proposal the way it's written and maybe they could submit a proposal for theirs? I know it's limited in the species but maybe later on we'll include other species. Right now this was something that we wanted special action by the Federal Board to do, but they wouldn't take it up as a special action. They said they were going to wait till their next meeting next year. We wanted this done this year during the hunting season so that we could have designated hunters.

MR. CHAIRMAN: Jay?

MR. WELLS: Yeah, Roy. I just wanted to tell you that for Mentasta caribou, Unit 11 which is the only \_- well, I shouldn't \_- the main registration hunt that we do there is a designated hunter program in place which, I believe, the Council recommended when it went to the Federal Board. And the Board did authorize a designated hunter program to be put into effect this year for Unit 11 caribou.

MS. STICKWAN: That was just for a special hunt though. That was for a special hunt.

MR. CHAIRMAN: The special, caribou special hunt, yeah.

MS. STICKWAN: If it ever changes again where the Mentasta caribou herd comes up to, you know, sufficient population we want to be able to have a designated hunter for that, too, for that hunt.



Not just this special hunt.

MR. CHAIRMAN: Just a broader application of that.

MR. WELLS: It's really quite easy.

MR. CHAIRMAN: Ralph?

MR. LOHSE: Again, we aren't to be taking action on this today anyhow. This is just submitting to us.

MS. STICKWAN: This is.....

MR. LOHSE: This is going to be coming up in our winter meeting and it's for our information. If somebody sees the need for a proposal to cover statewide or an additional area they have plenty of time to submit it at this point in time. Where Gloria's proposal, this is a proposal that has already been submitted and will be on the agenda in January.

MS. EAKON: That is very correct. It will be analyzed and presented to the Council when it meets in January.

In regards to Gary's concern, Rachel Mason did work with Debra Oskolkoff in writing up a designated hunter proposal for the Ninilchik Traditional Council got moose. That has already been done. And I faxed Debra a message before I came here to remind her to be sure to submit it to our office and it will also be printed in the proposal booklet.

MR. OSKOLKOFF: It is faxes and it's in your office.

MS. EAKON: Okay. Okay. That's it then unless you have more comments or questions?

MR. LOHSE: We do have any Regional Council proposals?

MR. CHAIRMAN: I don't know (ph).

MS. EAKON: The deadline for submission of proposals is October 25.

MR. CHAIRMAN: Okay. Are we done with this then?

MS. EAKON: Agency. Are there any agency proposals?

MR. CHAIRMAN: Good. Are there any agency proposals? I don't see anybody moving so I guess there isn't any. And we'll go on down to the next item then.

MS. EAKON: The time and place of next meeting. Remember your window is January 27 through February 28th. But since Rachel Mason and Robert Willis, our anthropologist and biologist also serve the Kodiak/Aleutians and the Southeast Regional Councils, when you select your date it should be during a week where those two councils are not meeting. And for those we do have our calendar there.

MR. OSKOLKOFF: Which two?

MS. EAKON: Southeast.

MR. OSKOLKOFF: Oh, okay.

MS. EAKON: And Kodiak/Aleutians.

MR. CHAIRMAN: We could have it during those two.....

MS. EAKON: No, because Rachel and Robert will have to be at our meeting in January to help us with the proposals.

MR. CHAIRMAN: All right. Any suggested date? We're looking at the first part of the month then, huh?

MS. EAKON: Yes, the first part of that window.

MR. CHAIRMAN: I don't have any preference myself.

MR. LOHSE: When is Fur Rondy and the AFN meeting?

MS. EAKON: AFN meets this month, 17th, 18th, 19th.

MR. LOHSE: Okay. They don't have a meeting in February this year?

MS. EAKON: No. Fur Rondy, does anybody know when Fur Rondy will be early next winter?

MR. CHAIRMAN: In the past I believe it was, I believe, the third Friday or it begins on the third Friday.

MS. EAKON: It's there somewhere during that third week of the window.

UNIDENTIFIED VOICE: Well, February 3rd looks good to me.

MR. OSKOLKOFF: I don't have a calendar so I'm lost.

MR. CHAIRMAN: I don't have any preference myself. I'm pretty open to that first part of the month. The latter part, I guess, is tied up with Southeast and Kodiak, right?

MS. EAKON: Uh-hum. That's correct.

MR. LOHSE: Maybe what we could do is put ours right in the middle and then every week we'll have a Council meeting.

MR. CHAIRMAN: Let's see, we're talking about two days or three days?

MS. EAKON: Two full days would cover it.

MR. CHAIRMAN: My preference would be either towards the end of the week or the first part of the week. You know, this \_- when I have to travel to Anchorage that makes it easier for me because I have a job out and I \_- in the middle of the week I'd have to rush in and I'd have to rush back. It's very inconvenient for me.

MR. OSKOLKOFF: We could probably go the 6th and 7th or the 10th and 11th or something. But I know whatever I suggest I'm going to have conflicting meetings. I'm trying to keep my mouth shut. It's hard to do.

UNIDENTIFIED VOICE: The 10th and 11th for me would be

good.

MR. LOHSE: I have school board meetings on the second Monday of the month. And we've got a pretty full school board schedule, so.....

MR. CHAIRMAN: How about 13th and 14th?

MR. LOHSE: Yeah.

UNIDENTIFIED VOICE: That's Valentine's Day.

MR. CHAIRMAN: Oh, great.

UNIDENTIFIED VOICE: Fur Rondy time, too.

MR. LOHSE: We could go the 3rd and 4th. You know, the 10th would be the only day I know that I have something going on and that's the school board meeting, so.....

MR. CHAIRMAN: 13th, 14th? How's that? How many want 13th, 14th? Raise your hand. One, two, three, four. Okay.

UNIDENTIFIED VOICE: Yeah, that's okay with me.

UNIDENTIFIED VOICE: I'm not voting for Valentine's Day on the record.

MR. ROMIG: There's only one problem I see with that. And that is if our meeting does extend an extra day and we don't get our workload done we're going into Saturday. And from that standpoint I would \_ personally I'd rather go at the start of the week.

UNIDENTIFIED VOICE: 3rd and 4th?

MR. ROMIG: Yeah.

MR. OSKOLKOFF: I'd prefer that.

MR. ROMIG: Because then if we have to go an extra half of day or something we're going on a work day for the staff, otherwise the staff ends up having to stay.....

MR. CHAIRMAN: Okay. We'll see if we can accommodate you. How many want 3rd and 4th raise your right hand. One, two, three, four. Doesn't matter. Okay. We'll go with that then. Ben?

MR. ROMIG: Unless there's a problem. If there's any problem.....

MR. CHAIRMAN: Ben's got a problem.

MR. ROMIG: I don't have a problem. I thought one time we discussed having them toward the end of the week.

UNIDENTIFIED VOICE: 6th and 7th.

MR. ROMIG: And then if there was a work load you'd.....

UNIDENTIFIED VOICE: Compromise, 6th and 7th.

MR. CHAIRMAN: We'll work into the night, how's that?

UNIDENTIFIED VOICE: Sounds good.

MR. CHAIRMAN: 13th and 14th.

MR. ROMIG: 6th and 7th, through then.

MR. JOHN: 6th and 7th.

MR. LOHSE: So we're not there for Valentine's Day.

MR. CHAIRMAN: All right. 6th and 7th.

MR. LOHSE: Sounds okay to me.

MR. CHAIRMAN: I won't change my mind any more. 6th and 7th.

MS. EAKON: Where at? A lot of this is going to depend on where at?

MR. ROMIG: You threw a curve ball in here now.

MR. LOHSE: That time of the year, Anchorage.

MR. JOHN: Yeah, Anchorage.

MS. EAKON: So is it okay if you travel like the evening of the 5th and then we start. Our meeting will start first thing in the morning of the 6th and just work away, work away and get done on the 7th at some point in time. How's that?

MR. CHAIRMAN: Start work on the evening of the 5th?

MS. EAKON: No. First thing in the morning of the 6th.

UNIDENTIFIED VOICE: We arrive on the evening of the 5th.

MS. EAKON: You travel on the evening of the 5th. You travel.

MR. ROMIG: And it's Anchorage. You could even fly in the morning of the 6th if a person wants to race the weather.

MR. CHAIRMAN: Okay. That's what it'll be then.

MR. LOHSE: In other words, you'll have accommodations in Anchorage on the evening of the 5th.

MS. EAKON: You will have accommodations in Anchorage on the evening of the 5th. You start first thing on the 6th and do your business and then conclude on Friday. How's that?

MR. LOHSE: Yeah, late on Friday.

MS. EAKON: How's that? Okay.

MR. CHAIRMAN: Okay. Hearing no objection we'll do that.

MR. KOMPKOFF: Could I suggest to you that perhaps in the next meeting after that unless we have some other constraints that we meet perhaps up close to Denali, give those folks a chance? It'll be summer then.

UNIDENTIFIED VOICE: It'll be summer. Yeah. That'll be okay.

MR. KOMPKOFF: The roads will be a little clearer.

UNIDENTIFIED VOICE: Maybe.

MR. CHAIRMAN: When's our next meeting after that?

MS. EAKON: After your February 6 and 7 meeting the next meeting would be in the fall of '97, in the fall.

MR. CHAIRMAN: Can we keep that in mind and maybe work with Gilbert to find a place and all that?

MS. EAKON: Sure.

MR. CHAIRMAN: Okay.

MS. EAKON: Sure. That's fine.

MR. KOMPKOFF: I've just been making little circles on the map where we've been already and where the Board has been. It seems like one of those areas would be kind of nice to get somewhere up there in that general direction.

MS. EAKON: Okay.

MR. KOMPKOFF: Give everybody a shot at us.

MR. CHAIRMAN: That's a good area. The only problem is if it's too late all the places are closed, right?

UNIDENTIFIED VOICE: Get stuck up there.

MR. LOHSE: Yes. You have snow already there, don't you?

MR. DEMENTI: Not very much.

MR. LOHSE: Not very much.

MR. DEMENTI: It's about like this out there.

MR. LOHSE: About like that.

MR. DEMENTI: Yeah.

MR. CHAIRMAN: If you keep it the first part of October you might be able to find places open yet. I know that one year we had a retreat up there and one hotel stayed open for us. If we told them we'd be up there early, like the middle part of October or something like that. But otherwise they kind of close. When do you close?

MR. DEMENTI: Can you tell us when the hotels close?

MR. TWITCHELL: Well, just right off the entrance of the park by the latter part of September they're closed. Cantwell has two hotels.

MR. DEMENTI: Not really.

MR. LOHSE: Oh, that sounds good.

MR. OSKOLKOFF: A four star recommendation.

MR. TWITCHELL: I think your best bet would be Healy.

MR. DEMENTI: Healy is just north of Cantwell there. That's 20(C) though.

(Inaudible conversation)

UNIDENTIFIED VOICE: How's Talkeetna.

MR. CHAIRMAN: All right. It's something to look at anyway.

UNIDENTIFIED VOICE: We could ask around.

UNIDENTIFIED VOICE: Just keep in mind my moose season ends December 29th.

MR. CHAIRMAN: I think we took care of the last item. We're going to have somebody closing prayer, but I don't think we have any Elder here yet today either from our region, so we'll just skip that. And we're done. Anything else? Other business?



Bob?

MR. WILLIS: If anyone has their homework done that I gave you yesterday, the wildlife handbook or do you, which I seriously doubt, you can give it to me. If you're going to be here tonight and want to look it over we'll be here in the morning. We'll be eating breakfast and leaving, heading back to Anchorage sometime in the morning, fairly early. So I'll just remind you of that. If you haven't had a chance to look at it and won't get through it tonight, look it over as soon as you can, put it in those envelopes and send it back to me.

MR. CHAIRMAN: Okay. Okay.

MR. LOHSE: Do we adjourn?

MR. CHAIRMAN: Okay. There's a motion to adjourn. Is there a second?

UNIDENTIFIED VOICE: Do we need a second?

MR. OSKOLKOFF: I'll move.

MR. CHAIRMAN: All in favor say aye.

IN UNISON: Aye.

MR. CHAIRMAN: Opposed by the same sign? Meeting adjourned.

(Off record 3:30 p.m.)

(END OF PROCEEDINGS)

\* \* \* \* \*

C E R T I F I C A T E

UNITED STATES OF AMERICA                    )  
  ) ss.  
STATE OF ALASKA                                )

I, Rebecca Nelms, Notary Public in and for the State of Alaska and Reporter for R&R Court Reporters, Inc., do hereby certify:

THAT the foregoing pages numbered 49 through 154 contain a full, true and correct Transcript of the Southcentral Alaska Federal Subsistence Regional Advisory Council meeting taken electronically by Annalisa Delozier on the 8th day of October, 1996, beginning at the hour of 8:30 o'clock a.m. in Glennallen, Alaska;

THAT the transcript is a true and correct transcript transcribed by Julie Gonzales and myself to the best of our knowledge and ability;

THAT I am not an employee, attorney, or party interested in any way in this action.

DATED at Anchorage, Alaska, this 18th day of October 1996.

\_\_\_\_\_  
Notary Public in and for Alaska  
My Commission Expires: 10/10/98